

BILL ANALYSIS

Senate Research Center

S.B. 833
By: Armbrister
State Affairs
3-13-97
As Filed

DIGEST

Currently, the General Services Commission performs certain duties in relation to state and federal surplus and salvage property. This bill allows the commission to assign three deputy directors to the commission's divisions and to assign the surplus property division directly to the executive director.

PURPOSE

As proposed, S.B. 833 sets forth certain powers and duties for the General Services Commission concerning state and federal surplus and salvage property and certain commission personnel.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2152.104, Government Code, to delete the qualifications of the three associate deputy directors required by the General Services Commission (commission). Requires each division to be managed by a division director who is required to report to the associate deputy director who administers the division, rather than requires the commission to direct the associate deputy director's management of the surplus and salvage property division. Deletes a provision requiring the associate deputy director to report directly to the commission. Deletes a provision requiring commission direction of the associate deputy director's management of the surplus and salvage property division to occur at an open meeting of the commission and is required to be made part of the minutes of the meeting. Deletes a provision requiring each division to be managed by a division director to report to the associate deputy director who administers the division, except as provided by Subsection (b). Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 2175.004, Government Code, to provide that the Civil Air Patrol, Texas Wing, is considered a state agency having the authority to acquire surplus or salvage property.

SECTION 3. Amends Section 2175.123, Government Code, as follows:

Sec. 2175.123. DIRECT TRANSFER. Authorizes a state agency, political subdivision, or assistance organization to coordinate, rather than negotiate, directly with the reporting state agency for a transfer of the property at a price established by the reporting agency, rather than an agreed value, during the 30 days, rather than 35 days, following dissemination of information, rather than after the date of the notice, under Section 2175.122.

SECTION 4. Amends Section 2175.124, Government Code, as follows:

Sec. 2175.123. New heading: NOTICE OF TRANSFER TO COMPTROLLER; ADJUSTMENT OF APPROPRIATIONS AND PROPERTY ACCOUNTING RECORDS. Requires the comptroller to adjust state property accounting records, rather than inventory records, if necessary.

SECTION 5. Amends Section 2175.125, Government Code, to provide that during the 30 days, rather than the 35 days, after the date of notice under Section 2175.122, a transfer to a state agency

has priority over any other transfer under rules adopted by the commission.

SECTION 6. Amends Section 2175.183, Government Code, to provide that the if value of an item or a lot of property to be sold is estimated to be more than \$5,000, rather that \$1,000, certain action is required to be taken by the commission or the state agency.

SECTION 7. Amends Section 2175.184, Government Code, as follows:

Sec. 2175.184. New heading: REPORTING SALE; PROPERTY ACCOUNTING ADJUSTMENT. Requires the comptroller to remove the property from the property accounting records, rather than inventory if the property reported under this section is on the state property accounting system.

SECTION 8. Amends Section 2175.241, Government Code, as follows:

Sec. 2175.241. New heading: DESTRUCTION OF SURPLUS OR SALVAGE PROPERTY. Authorizes property to be destroyed as worthless salvage under certain conditions.

SECTION 9. Amends Section 2175.241, Government Code, as follows:

Sec. 2175.242. New heading: REMOVAL OF DESTROYED PROPERTY FROM STATE PROPERTY ACCOUNTING RECORDS. Makes conforming changes.

SECTION 10. Amends Section 2175.303, Government Code, to provide that this chapter does not apply to disposition of certain recyclable materials when the disposition is not in the best interest of the state or economically feasible. Makes conforming and nonsubstantive changes.

SECTION 11. Amends Section 2175.362, Government Code, as follows:

Sec. 2175.362. New heading: DESIGNATED AGENCY; SEPARATE AND INDEPENDENT OPERATION OF FEDERAL SURPLUS PROPERTY PROGRAM. Requires the federal surplus property program to operate independently of the rest of the commission under certain conditions. Authorizes the administrative offices of the federal surplus property program to be located in a building separate from the location of other commission offices.

SECTION 12. Amends Section 2175.370, Government Code, as follows:

Sec. 2175.370. New heading: FEDERAL SURPLUS PROPERTY SERVICE CHARGE FUND. Requires the commission to deposit a charge collected under Section 2175.369, Government Code, in the state treasury to the credit of the federal surplus property service charge fund. Makes conforming changes.

SECTION 13. Amends Section 2175.902, Government Code, as follows:

Sec. 2175.902. PAPER RECYCLING. Requires the commission to establish and maintain in each building under its control procedures, rather than facilities, for collecting separately from other wastes all paper for recycling, rather than wastepaper, disposed of in that building. Authorizes the commission to delegate its responsibility under this subsection to a state agency located in each building under its control. Requires the commission or a state agency with delegated responsibility under Subsection (a) to sell the paper, rather than wastepaper, for recycling to the highest bidder.

SECTION 14. Repealer: Section 2175.003, Government Code (Separate and Independent Operation of Surplus and Salvage Property Division).

SECTION 15. Emergency clause.
Effective date: upon passage.