

BILL ANALYSIS

Senate Research Center
76R5597 JRD-F

S.B. 1313
By: Armbrister
State Affairs
4/26/1999
As Filed

DIGEST

Currently, Texas law does not authorize the disposition and sale of certain surplus and salvage property. S.B.1313 would allow additional methods of surplus property reutilization and disposal.

PURPOSE

As proposed, S.B. 1313 authorizes the disposition and sale of certain surplus and salvage property by the state.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the General Services Commission in SECTION 4 (Section 2175.126(e), Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2175.061, Government Code, to require the General Services Commission (commission) to establish and maintain procedures for the transfer, lease with an option to purchase, sale, or disposal of surplus and salvage property as prescribed by law. Makes conforming changes.

SECTION 2. Amends Section 2175.063(a), Government Code, to require the commission to attempt to realize the maximum benefit to the state in selling, leasing, leasing with an option to purchase, or disposing of surplus and salvage property.

SECTION 3. Amends Chapter 2175B, Government Code, by adding Section 2175.066, as follows:

Sec. 2175.066. CENTRAL SURPLUS WAREHOUSE. Requires the commission to establish a central surplus warehouse for the transfer, lease with an option to purchase, sale, and disposal of state surplus or salvage property. Require the commission to identify property to be transferred to a central surplus warehouse from property determined to be surplus or salvage by a state agency under Section 2175.121. Provides that a state agency maintains ownership of property throughout the disposal process. Requires the commission to inventory and protect from deterioration items transferred to the central surplus warehouse. Requires the commission to collect a service charge from the purchaser or lessee of surplus property for recovery of the cost of processing and operations. Set forth requirements for the commission to lease critically needed surplus property to state agencies and other organizations. Sets forth requirements for the commission to sell direct to the public, surplus and salvage property. Requires the commission to maintain an inventory of surplus items needed for emergency disaster, as surplus property becomes available. Requires the commission to transfer items to the central surplus warehouse for emergency disaster purposes at no charge to the state agency that owns the property. Requires the commission to dispose of property no longer needed for emergency disaster purposes in accordance with Subchapters C and D. Requires the commission to maintain an inventory of surplus items commonly used by state agencies. Requires the commission to transfer the items to the central surplus warehouse for reserve inventory purposes at no charge to the state agency that owns the property. Requires the commission to dispose of property no longer needed for reserve inventory purposes in accordance with Subchapter C and D.

SECTION 4. Amends Chapter 2175C, Government Code, by adding Section 2175.126, as follows:

Sec. 2175.126. DISPOSAL BY THE FEDERAL SURPLUS PROPERTY PROGRAM.

Authorizes the commission to notify the federal surplus property program (program) of property availability, if a transfer of property is not negotiated with a state agency, political subdivision, or assistance organization during the time prescribed by Section 2175.123 and the commission determines that the property will not satisfy a state need. Requires the program to attempt to arrange a transfer of the property to a state agency political subdivision, or assistance organization without establishing a priority on transfers to a state agency, if the state agency that owns the property and the commission agree. Authorizes the program to take certain action. Requires the program to inform the commission and the commission to sell or dispose of the property as provided by Subchapters D and E. Authorizes the commission to adopt necessary rules to govern the sale of surplus or salvage equipment and material to state agencies, assistance organizations, or political subdivisions under this section. Authorizes the program to contract with a state agency to provide assistance related to the handling of surplus and salvage property, its disposal, or both.

SECTION 5. Effective date: September 1, 1999.

SECTION 6. Emergency clause.