

Chapter 793

H.B. No. 2762

1 AN ACT

2 relating to broker agreements for the sale of certain surplus  
3 property by certain counties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter D, Chapter 263, Local Government  
6 Code, is amended by adding Section 263.1545 to read as follows:

7 Sec. 263.1545. BROKER AGREEMENTS FOR THE SALE OF CERTAIN  
8 SURPLUS PROPERTY BY CERTAIN COUNTIES. (a) This section applies  
9 only to surplus property that:

10 (1) is owned by a county with a population of more than  
11 1 million and less than 1.5 million;

12 (2) uses a high level of technology;

13 (3) was used or will be used in connection with or for  
14 a highly specialized program; and

15 (4) was purchased by the county for more than  
16 \$250,000.

17 (b) The commissioners court of a county may enter into a  
18 broker agreement to sell surplus property described by Subsection  
19 (a) with a broker who has the expertise necessary to negotiate the  
20 sale of the surplus property. The commissioners court may pay a fee  
21 to the broker if the broker produces a ready, willing, and able  
22 buyer to purchase the surplus property.

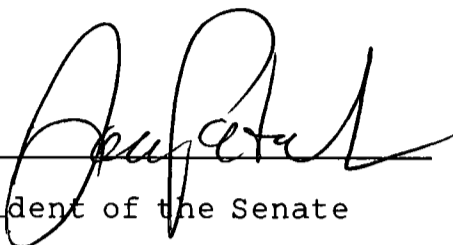
23 (c) Notwithstanding any other law, including Section  
24 262.024, a broker agreement under this section is subject to the

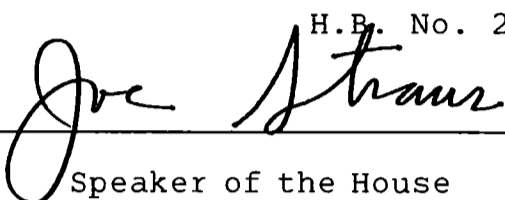
1 competitive procurement procedures for services under Subchapter  
2 C, Chapter 262, regardless of the amount of the proposed broker's  
3 fee.

4 (d) The commissioners court of a county may sell the surplus  
5 property to the ready, willing, and able buyer who submits the  
6 highest cash offer and is produced by the broker in accordance with  
7 the broker agreement.

8 (e) Notwithstanding any other law, the commissioners court  
9 of a county may sell surplus property under this section without  
10 complying with the requirements for conducting a public auction,  
11 bidding, or trade-in under other law, including the requirements  
12 under Sections 263.152 and 263.153.

13 SECTION 2. This Act takes effect immediately if it receives  
14 a vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution. If this  
16 Act does not receive the vote necessary for immediate effect, this  
17 Act takes effect September 1, 2017.

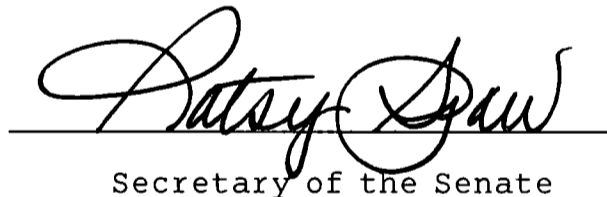
  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 2762 was passed by the House on May 4, 2017, by the following vote: Yeas 140, Nays 0, 5 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2762 on May 24, 2017, by the following vote: Yeas 141, Nays 4, 2 present, not voting.

  
\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 2762 was passed by the Senate, with amendments, on May 22, 2017, by the following vote: Yeas 31, Nays 0.

  
\_\_\_\_\_  
Secretary of the Senate


APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_

Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
3:00 PM O'CLOCK

JUN 15 2017  
  
\_\_\_\_\_  
Secretary of State

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 23, 2017**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2762** by Workman (Relating to broker agreements for the sale of certain surplus property by a county.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would amend the Local Government Code concerning the disposition of certain surplus property by certain counties. It authorizes use of broker agreements for the sale of defined categories of property where broker expertise is necessary to negotiate the sale of the surplus property.

The bill does not involve the sale of property held by the state and would not have a significant fiscal implication to the state.

The bill would take effect immediately if it receives a vote of two-thirds of each house. If the bill does not receive the vote necessary for immediate effect it would take effect September 1, 2017.

**Local Government Impact**

According to the Texas Association of Counties, no significant fiscal implication is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, GP

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 8, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2762** by Workman (Relating to broker agreements for the sale of certain surplus property by a county.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code concerning the disposition of certain surplus property by counties. It authorizes use of broker agreements for the sale of defined categories of property where broker expertise is necessary to negotiate the sale of the surplus property.

The bill does not involve the sale of property held by the state and would not have a significant fiscal implication to the state.

The bill would take effect immediately if it receives a vote of two-thirds of each house. If the bill does not receive the vote necessary for immediate effect it would take effect September 1, 2017.

**Local Government Impact**

According to the Texas Association of Counties, no significant fiscal implication is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, GP

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 12, 2017**

**TO:** Honorable Garnet Coleman, Chair, House Committee on County Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB2762 by Workman (Relating to broker agreements for the sale of certain surplus property by a county.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Local Government Code concerning the disposition of certain surplus property by counties. It authorizes use of broker agreements for the sale of defined categories of property where broker expertise is necessary to negotiate the sale of the surplus property.

The bill does not involve the sale of property held by the state and would not have a significant fiscal implication to the state.

The bill would take effect immediately if it receives a vote of two-thirds of each house. If the bill does not receive the vote necessary for immediate effect it would take effect September 1, 2017.

**Local Government Impact**

According to the Texas Association of Counties, no significant fiscal implication is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, GP