

1 AN ACT

2 relating to the disposition of vehicles by a local government
3 participating in a program designed to encourage the use of
4 low-emission vehicles.

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

6 SECTION 1. Section 263.152(a), Local Government Code, is
7 amended to read as follows:

8 (a) The commissioners court of a county may:

9 (1) periodically sell the county's surplus or salvage
10 property by competitive bid or auction, except that competitive
11 bidding or an auction is not necessary if the purchaser is another
12 county or a political subdivision within the county that is selling
13 the surplus or salvage property;

14 (2) offer the property as a trade-in for new property
15 of the same general type if the commissioners court considers that
16 action to be in the best interests of the county;

17 (3) order any of the property to be destroyed or
18 otherwise disposed of as worthless if the commissioners court
19 undertakes to sell that property under Subdivision (1) and is
20 unable to do so because no bids are made;

21 (4) dispose of the property by donating it to a civic
22 or charitable organization located in the county if the
23 commissioners court determines that:

24 (A) undertaking to sell the property under

1 Subdivision (1) would likely result in no bids or a bid price that
2 is less than the county's expenses required for the bid process;

3 (B) the donation serves a public purpose; and

4 (C) the organization will provide the county with
5 adequate consideration, such as relieving the county of
6 transportation or disposal expenses related to the property; ~~or~~

7 (5) transfer gambling equipment in the possession of
8 the county following its forfeiture to the state to the Texas
9 Building and Procurement Commission for sale under Section
10 2175.904, Government Code; or

11 (6) order any vehicle retired under a program designed
12 to encourage the use of low-emission vehicles to be crushed and
13 recycled, if practicable, without a competitive bid or auction.

14 SECTION 2. This Act takes effect September 1, 2009.

David Newkirk

President of the Senate

Jon Straus

Speaker of the House

I certify that H.B. No. 3089 was passed by the House on April 30, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Robert Haney

Chief Clerk of the House

I certify that H.B. No. 3089 was passed by the Senate on May 26, 2009, by the following vote: Yeas 31, Nays 0.

Patsy Gaud

Secretary of the Senate

APPROVED: 19 JUN '09

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK
JUN 19 2009

Colby Hunter III