

- SUBJECT:** Expanding donation conditions for surplus or salvage property.
- COMMITTEE:** State Affairs — favorable, without amendment
- VOTE:** 10 ayes — Cook, Giddings, Craddick, Farrar, Geren, Harless, Huberty, Kuempel, Smithee, Sylvester Turner
- 0 nays
- 2 absent — Farney, Oliveira
- WITNESSES:** For — (*Registered, but did not testify:* Randall Chapman)
- Against — None
- On — (*Registered, but did not testify:* Shyra Darr, Kristy Fierro, and Kay Molina, Texas Facilities Commission)
- BACKGROUND:** Government Code, ch. 2175, subch. D governs the disposal of surplus or salvage property by a state agency. Sec. 2175.241 permits the Texas Facilities Commission or a state agency to destroy or donate property that has no resale value and cannot be disposed of or sold. Sec. 2175.242 permits the comptroller to remove donated or destroyed surplus or salvage property from the state property accounting records.
- Other qualified organizations that work closely with state agencies may have a use for the property currently donated or destroyed, and some have called for a process by which the Texas Facilities Commission could donate the property to certain organizations that may provide a benefit to the state, such as law enforcement agencies or organizations that provide health services.
- DIGEST:** HB 3439 would expand the conditions under which the Texas Facilities Commission could donate surplus or salvage property. If the commission determined the donation of the property would sufficiently benefit the state, the commission could donate the property to an assistance

organization or a local government entity.

The commission would be permitted to charge a fee to the organization or governmental entity receiving the donation to cover associated costs for the donation.

A state agency could donate property that could be resold if the agency notified the commission and provided sufficient information for the commission to confirm the benefit to the state.

A state agency making a donation would be required to notify the comptroller of the donation and any benefit received. This bill would not require the commission's authorization for property donated by a state agency to be deleted from state property accounting records.

This bill would take effect September 1, 2015.