

## **BILL ANALYSIS**

Senate Research Center  
76R5950 MCK-D

S.B. 1105  
By: Ratliff  
Criminal Justice  
3/29/1999  
As Filed

### **DIGEST**

Currently, the Senate Finance Interim Subcommittee on Government Technology recommends that the General Services Commission works with the Texas Department of Criminal Justice (TDCJ) to have surplus computer equipment transferred to TDCJ for repair, refurbishment, and reutilization. Such a program would provide job training and skills for prisoners and enhance the resale of surplus computer equipment. This bill would provide that state agencies and public universities transfer their obsolete computer equipment to the TDCJ for repair and resale.

### **PURPOSE**

As proposed, S.B. 1105 sets forth procedures for the disposition of surplus or salvage data processing equipment from state agencies or certain other institutions.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Department of Criminal Justice in SECTION 1 (Section 491.011, Government Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 497A, Government Code, by adding Section 497.011, as follows:

Sec. 497.011. Authorizes the Texas Department of Criminal Justice (TDCJ) to receive surplus or salvage data processing equipment under Chapter 2175. Requires the TDCJ to repair or refurbish the surplus or salvage data processing equipment (repaired equipment) if economically feasible. Requires the TDCJ to sell the repaired data processing equipment to a school district, state agency, or political subdivision, if repair work is not economically feasible. Requires the TDCJ to attempt to realize the maximum benefit in selling repaired equipment. Requires the selling price of repaired equipment to be sufficient to defray the costs of repair work. Requires proceeds from the sale of repaired equipment to be deposited in the industrial revolving account and be used to reduce the costs of repair work. Authorizes the TDCJ to adopt rules to implement this section.

SECTION 2. Amends Section 2175.001, Government Code, by adding Subdivision (5), to define “data processing equipment.”

SECTION 3. Amends Chapter 2175C, Government Code, by adding Section 2175.126, as follows:

Sec. 2175.126. DISPOSITION OF DATA PROCESSING EQUIPMENT. Requires a state agency, state eleemosynary institution, or institution of higher education (state entities) to transfer surplus equipment to the TDCJ if a disposition of a state agency’s surplus equipment is not made under this subchapter. Prohibits state entities from collecting reimbursement from the TDCJ for surplus equipment.

SECTION 4. Amends Section 2175.302, Government Code, to provide that this chapter does not apply to certain institutions except as provided by Section 2175.126(b).

SECTION 5. Effective date: September 1, 1999.

SECTION 6. Emergency clause.