

BILL ANALYSIS

Senate Research Center
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H.B. 2762
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Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, counties may only dispose of surplus assets in four ways: trade-ins, competitive bidding, donation to a local civil or charitable organization, or auction. H.B. 2762 permits counties to employ a broker to help sell high-value specialty assets to help increase their return on investment.

H.B. 2762 amends current law relating to broker agreements for the sale of certain surplus property by a county.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 263, Local Government Code, by adding Section 263.1545, as follows:

Sec. 263.1545. BROKER AGREEMENTS FOR THE SALE OF CERTAIN SURPLUS PROPERTY. (a) Provides that this section applies only to surplus property that:

- (1) is owned by a county;
- (2) uses a high level of technology;
- (3) was used or will be used in connection with or for a highly specialized program; and
- (4) was purchased by the county for more than \$250,000.

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

(c) Authorizes the commissioners court of a county to sell the surplus property to the ready, willing, and able buyer who submits the highest cash offer and is produced by the broker in accordance with the broker agreement.

(d) Authorizes the commissioners court of a county, notwithstanding any other law, to sell surplus property under this section without complying with the requirements for conducting a public auction, bidding, or trade-in under other law, including the requirements under Sections 263.152 (Disposition) and 263.153 (Notice).

SECTION 2. Effective date: upon passage or September 1, 2017.