

CHAPTER 900

H.B. No. 1823

AN ACT

relating to the assessment of certain fees in connection with the sale of surplus or salvage state property.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subsections (a), (c), (d), and (e), Section 9.05, State Purchasing and General Services Act (Article 601b, Vernon's Texas Civil Statutes), are amended to read as follows:

(a) If surplus or salvage property is not disposed of under the provisions of Section 9.04 of this article, the commission shall sell the property by competitive bid or auction or delegate to the state agency having possession of the property the authority to sell the property on a competitive bid basis. *The commission or agency shall collect a fee from the purchaser. The commission shall set the fee in an amount to recover the costs associated with the sale of the property, but the amount may not be less than two percent nor more than 12 percent of the proceeds from the sale of the property.*

(c) When the commission sells any surplus or salvage property it shall *collect the fee assessed under Subsection (a) of this section and shall report the item sold and the sale price to the agency that declared such property as surplus or salvage.*

(d) All agencies for whom surplus or salvage property is sold or who sell surplus or salvage property under authorization of the commission shall *collect the fee assessed under Subsection (a) of this section and shall report the sale together with the prices realized to the comptroller. If ~~and if~~ the property is on the state inventory the commission shall remove it from the inventory.*

(e) The proceeds from the sale of any surplus or salvage property, less the cost of advertising the sale, *the cost of any auctioneer services, and the amount of the fee collected under Subsection (a) of this section,* shall be deposited to the credit of the item of appropriation to the agency for whom the sale was made. *The [A] portion of the proceeds from the sale of any surplus or salvage property equal to the cost of advertising the sale and the cost of auctioneer services, if any, shall be deposited in the state treasury to the credit of the item of appropriation to the commission from which those costs were ~~such cost was~~ expended. The fee collected under Subsection (a) of this section shall be transferred to the state treasurer and credited to the general revenue fund.*

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 8, 1987, by a non-record vote. Passed by the Senate on May 23, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective Sept. 1, 1987.