

BILL ANALYSIS

Senate Research Center

S.B. 1485
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Intergovernmental Relations
3/29/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, emergency services districts (ESDs) are required to dispose of used, surplus, or salvage property via competitive bid or auction, and there is no statutory exception from the requirement, even in connection with purchase by another district or volunteer fire department.

As proposed, S.B. 1485 authorizes an ESD to sell used firefighting equipment to another district or volunteer fire department at fair market value and authorizes a district to contract with another district or volunteer fire department for the use of its salvage or surplus property.

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 Chapter 775, Health and Safety Code, by adding Subchapter I, as follows:

SUBCHAPTER I. SURPLUS AND SALVAGE PROPERTY

Sec. 775.251. SALE OF SURPLUS OR SALVAGE PROPERTY. (a) Defines "salvage property," "surplus property," and "volunteer fire department."

(b) Authorizes an emergency services district (ESD), notwithstanding other law, to sell used firefighting equipment, including equipment described by Sections 419.040 (Protective Clothing) and 419.041 (Self-Contained Breathing Apparatus), Government Code, to a volunteer fire department in any ESD or to another ESD for fair market value if the equipment met the National Fire Protection Association Standards at the original time of purchase.

(c) Authorizes an ESD to contract to supply surplus or salvage property to any volunteer fire department or ESD in this state at fair market value.

(d) Authorizes the ESD to determine the fair market value of used equipment, surplus property, and salvage property sold under Subsections (b) and (c).

SECTION 2. Effective date: September 1, 2009.