

## Texas Local Government Code - Section 263.151. Definitions

§ 263.151. DEFINITIONS. In this subchapter:

(1) "Salvage property" means personal property, other

than items routinely discarded as waste, that because of use, time,

accident, or any other cause is so worn, damaged, or obsolete that

it has no value for the purpose for which it was originally

intended.

(2) "Surplus property" means personal property that:

(A) is not salvage property or items routinely

discarded as waste;

(B) is not currently needed by its owner;

(C) is not required for the owner's foreseeable

needs; and

(D) possesses some usefulness for the purpose for

which it was intended.

## Texas Local Government Code 263.152 – Disposition

(a) The commissioners court of a county may:

- (1) periodically sell the county's surplus or salvage property by competitive bid or auction, except that competitive bidding or an auction is not necessary if the purchaser is another county or a political subdivision within the county that is selling the surplus or salvage property;
  - (2) offer the property as a trade-in for new property of the same general type if the commissioners court considers that action to be in the best interests of the county;
  - (3) order any of the property to be destroyed or otherwise disposed of as worthless if the commissioners court undertakes to sell that property under Subdivision (1) and is unable to do so because no bids are made;
  - (4) dispose of the property by donating it to a civic or charitable organization located in the county if the commissioners court determines that:
    - (A) undertaking to sell the property under Subdivision (1) would likely result in no bids or a bid price that is less than the county's expenses required for the bid process;
    - (B) the donation serves a public purpose; and
    - (C) the organization will provide the county with adequate consideration, such as relieving the county of transportation or disposal expenses related to the property;
  - (5) transfer gambling equipment in the possession of the county following its forfeiture to the state to the Texas Building and Procurement Commission for sale under Section 2175.904, Government Code; or
  - (6) order any vehicle retired under a program designed to encourage the use of low-emission vehicles to be crushed and recycled, if practicable, without a competitive bid or auction.
- (a-1) The commissioners court shall remit money received from the Texas Building and Procurement Commission from the sale of gambling equipment under Section 2175.904(c), Government Code, less administrative expenses incurred by the county in connection with the transfer and sale of the equipment, to the local law enforcement agency that originally seized the equipment.
- (b) If the property is earth-moving, material-handling, road maintenance, or construction equipment, the commissioners court may exercise a repurchase option in a contract in disposing of property under Subsection (a)(1) or (a)(2). The repurchase price of equipment contained in a previously accepted purchase contract is considered a bid under Subsection (a)(1) or (a)(2).
- (c) Repealed by Acts 2003, 78th Leg., ch. 43, Sec. 2; Acts 2003, 78th Leg., ch. 345, Sec. 3.