

Texas Local Government Code

Sec. 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 Facilities Commission for sale under Section 2175.904 (Disposal of Gambling Equipment), 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 Facilities Commission from the sale of gambling equipment under Section 2175.904 (Disposal of Gambling Equipment)(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)Disposal under Subsection (a)(3) may be accomplished through a recycling program under which the property is collected, separated, or processed and returned to use in the form of raw materials in the production of new products.