

AN ACT

relating to broker agreements for the sale of certain surplus property by certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 263, Local Government Code, is amended by adding Section 263.1545 to read as follows:

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

(1) is owned by a county with a population of more than 1 million and less than 1.5 million;

(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) The commissioners court of a county may 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. The commissioners court may pay a fee to the broker if the broker produces a ready, willing, and able buyer to purchase the surplus property.

(c) Notwithstanding any other law, including Section 262.024, a broker agreement under this section is subject to the

1 competitive procurement procedures for services under Subchapter
2 C, Chapter 262, regardless of the amount of the proposed broker's
3 fee.

4 (d) The commissioners court of a county may sell the surplus
5 property to the ready, willing, and able buyer who submits the
6 highest cash offer and is produced by the broker in accordance with
7 the broker agreement.

8 (e) Notwithstanding any other law, the commissioners court
9 of a county may sell surplus property under this section without
10 complying with the requirements for conducting a public auction,
11 bidding, or trade-in under other law, including the requirements
12 under Sections 263.152 and 263.153.

13 SECTION 2. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 2762 was passed by the House on May 4, 2017, by the following vote: Yeas 140, Nays 0, 5 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2762 on May 24, 2017, by the following vote: Yeas 141, Nays 4, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2762 was passed by the Senate, with amendments, on May 22, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor