

SCHOOL PROPERTIES DISPOSAL

CI
(LEGAL)

Note: For legal requirements applicable to property acquired with federal funds, see CBB.

For information on disposal of instructional materials and technological equipment, see CMD.

All rights and title to district property, whether real or personal, shall be vested in the board and its successors in office. The trustees may, in any appropriate manner, dispose of property that is no longer necessary for the operation of the district. *Education Code 11.151(c)* [See also CDB(LEGAL)]

**Surplus or Salvage
Property from a
State Agency**

A district may not lease, lend, bail, deconstruct, encumber, sell, trade, or otherwise dispose of property acquired under Government Code 2175.184 or 2175.241 before the second anniversary of the date the property was acquired. A district that violates this provision shall remit to the Texas Facilities Commission the amount the district received from the lease, loan, bailment, deconstruction, encumbrance, sale, trade, or other disposition of the property unless the commission authorizes the district's action. *Gov't Code 2175.184(b)*

**Law Enforcement
Vehicles**

A district may not sell or transfer a marked patrol car or other law enforcement motor vehicle to:

1. The public unless the district first removes any equipment or insignia that could mislead a reasonable person to believe that the vehicle is a law enforcement motor vehicle, including any police light, siren, amber warning light, spotlight, grill light, antenna, emblem, outline of an emblem, or emergency vehicle equipment; or
2. A security services contractor who is regulated by the Department of Public Safety and licensed under Occupations Code 1702 unless each emblem or insignia that identifies the vehicle as a law enforcement motor vehicle is removed before the sale or transfer.

A district that sells or transfers a marked patrol car or other law enforcement motor vehicle to the public in violation of these provisions is liable for damages proximately caused by the use of the vehicle during the commission of a crime, and to the state for a civil penalty of \$1,000. Governmental immunity to suit and from liability is waived and abolished to the extent of this liability.

Local Gov't Code 272.006