

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

SENATE BILL 1023

By: Shurden

AS INTRODUCED

An Act relating to the Oklahoma Surplus Property Act; amending 74 O.S. 1991, Section 85.9, as amended by Section 4, Chapter 342, O.S.L. 1995, and as renumbered by Section 9, Chapter 342, O.S.L. 1995 (74 O.S. Supp. 1999, Section 62.4), which relates to surplus property; updating statutory reference; providing local school districts opportunity to request certain surplus property; requiring posting; providing dates of posting; specifying how request shall be made; identifying contents of request; providing how awards shall be made; providing notification; providing equitable distribution; providing pick up dates; authorizing extension of pick up dates; authorizing posting of items not picked up; providing restriction on making requests; requiring promulgation of rules; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 1991, Section 85.9, as amended by Section 4, Chapter 342, O.S.L. 1995, and as renumbered by Section 9, Chapter 342, O.S.L. 1995 (74 O.S. Supp. 1999, Section 62.4), is amended to read as follows:

Section 62.4 A. A state agency may request the Director to sell, trade, redistribute or dispose of surplus property on behalf of such state agency.

B. 1. Except as otherwise provided by this subsection, any state agency which transfers surplus property to the Director for sale, trade, or redistribution shall receive full credit for the value thereof as may be arranged between the Director, the state fiscal agencies necessarily involved, and the state agencies so transferring and receiving such surplus property less any fees and charges assessed by the Director for costs incurred in such sale,

trade or redistribution. The proceeds from the sale, trade or redistribution of the surplus property shall be credited to a special cash fund created by Section ~~5~~ 62.5 of this ~~act~~ title.

2. Any surplus property determined by a state agency to have minimal or no value may be discarded or transferred to the Department pursuant to rules established by the Department.

C. 1. Local school districts of this state shall be given an opportunity to request in writing state agency surplus computers and computer equipment that have been requested by a state agency to be sold, traded, redistributed or disposed.

2. Beginning November 1, 2000, and at the beginning of every other month thereafter, the Department shall conspicuously identify and post on its web page all surplus computers and computer equipment that it has received from state agencies and that are available to local school districts as provided in this subsection.

3. Local school districts shall have until the end of the month of posting to make a written request for surplus computers and computer equipment. The request shall identify the need of the local school district for the surplus computers and/or computer equipment and identify which surplus computers and/or computer equipment for which it is applying. The Department shall date and accept requests through the end of the month of posting.

4. In the month following the month of posting, the Department shall award the requested surplus computers and/or computer equipment to the local school district(s) who is first in time and shall notify the local school district(s) of the award and how to pick up the awarded surplus computers and/or computer equipment. All requests that are received on the same day and for the same surplus computers and/or equipment shall be divided equitably as determined by the Department.

5. The local school district shall have until the end of the month following the month notification was sent by the Department to

pick up the awarded surplus computers and/or computer equipment. If such awarded surplus computers and/or computer equipment have not been picked up by the local school district by the time specified in this paragraph, the Department may extend the time period and notify the local school district or place such items on the next available posting.

6. Local school districts who receive an award pursuant to this subsection shall not be eligible to make another request for twelve (12) months.

7. The Department shall promulgate such rules as are necessary to implement the provisions of this subsection.

SECTION 2. This act shall become effective November 1, 2000.

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