

ENROLLED SENATE
BILL NO. 589

By: Rabon and Gumm of the
Senate

and

Roan of the House

An Act relating to state government; amending 74 O.S. 2001, Sections 62.2 and 62.7, which relate to the Oklahoma Surplus Property Act; modifying definition; clarifying obsolete references; expanding list of entities to whom the Department of Central Services must offer certain equipment and vehicles under the Surplus Property Program; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 62.2, is amended to read as follows:

Section 62.2 For purposes of the Oklahoma Surplus Property Act:

1. "Authorized entity" means a political subdivision, school, a multipurpose senior citizen center, as such term is defined in the federal Older Americans Act of 1965, group or organization eligible to acquire surplus property from a surplus property program;

2. "Surplus property" means items, commodities, materials, supplies or equipment a state agency owns and determines to be excess, obsolete, antiquated, unused or not needed;

3. "State agency" means any state board, bureau, commission, department, authority, public trust, interstate commission, the Judiciary, the Legislature, and the Office of the Governor;

4. "Department" means the Department of Central Services;

5. "Director" means the Director of the Department of Central Services;

6. "Surplus property program" means programs the Director establishes for the purchase, sale and disposal of surplus property;

7. "Sale" means methods the Director uses to dispose of surplus property; and

8. "Minimal value" or "no value" means surplus property that has less value than the costs the Department may incur to sell, trade or dispose of the surplus property.

SECTION 2. AMENDATORY 74 O.S. 2001, Section 62.7, is amended to read as follows:

Section 62.7 A. When the ~~Oklahoma~~ Department of Transportation determines that any equipment or vehicle becomes excess, obsolete, antiquated, unused or otherwise surplus, the Department shall notify the ~~Office~~ Department of Public Affairs Central Services in writing that such equipment or vehicle is surplus. The notice shall identify:

1. The type, brand or make, and country of manufacture of the equipment or vehicle;
2. The age of the equipment or vehicle including, but not limited to, mileage;
3. Whether the equipment or vehicle is in good working condition or not;
4. If the equipment or vehicle is not in good working condition, whether it is in repairable condition at reasonable cost;
5. Original cost of the equipment or vehicle; and
6. Present value of the equipment or vehicle, if known.

B. The ~~Office~~ Department of Public Affairs Central Services, with any other notice of surplus property, shall notify the eligible individuals or entities as provided in subsection C of this section of the availability of the surplus property of the ~~Oklahoma~~ Department of Transportation.

C. Prior to any advertised public auction or advertised sealed bids to all individuals and entities eligible for participation in the surplus program, the Department, thirty (30) days prior to the advertised auction date, shall offer, at fair market value, the equipment or vehicles to the individuals or entities, in the following order of priority:

1. Other state agencies;
2. Political subdivisions of the state;
3. Rural fire departments located in this state; ~~and~~
4. Rural water districts located in this state; and
5. Multipurpose senior citizen centers located in this state.

D. Any equipment or vehicles purchased pursuant to this section shall be made available to the purchaser on the date of purchase.

SECTION 3. This act shall become effective July 1, 2003.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 16th day of May, 2003.

Presiding Officer of the Senate

Passed the House of Representatives the 28th day of May, 2003.

Presiding Officer of the House
of Representatives