
By: **Senator Gladden**

Introduced and read first time: February 17, 2005

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Surplus Personal Property - Transfer to Public Schools**

3 FOR the purpose of authorizing the Secretary of General Services to dispose of
4 surplus personal property owned by the State by transferring it to public
5 schools; and generally relating to the transfer of surplus personal property
6 owned by the State.

7 BY repealing and reenacting, without amendments,
8 Article - State Finance and Procurement
9 Section 4-501
10 Annotated Code of Maryland
11 (2001 Replacement Volume and 2004 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - State Finance and Procurement
14 Section 4-504
15 Annotated Code of Maryland
16 (2001 Replacement Volume and 2004 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - State Finance and Procurement**

20 4-501.

21 (a) In this subtitle the following words have the meanings indicated.

22 (b) "Excess personal property" means an item of personal property that is
23 declared to be in excess of the needs of the custodial unit of the State government
24 because the item:

25 (1) is not necessary to the efficient operation of the unit; or

26 (2) has been replaced by a similar item.

1 (c) "Nonexpendable item" means an item of equipment or furnishing that has:

2 (1) an anticipated useful life of more than 1 year; and

3 (2) an original cost exceeding a minimum dollar amount established by
4 the Department by regulation.

5 (d) "Surplus personal property" means an item of excess personal property
6 that the Department declares is not needed by any unit of the State government.

7 4-504.

8 (a) The Secretary may dispose of excess personal property and surplus
9 personal property as provided in this section.

10 (b) (1) Whenever feasible, the Secretary shall dispose of excess personal
11 property by transferring it to another unit of the State government.

12 (2) The unit of the State government that receives the excess personal
13 property shall pay any cost of the transfer.

14 (c) The Secretary:

15 (1) may dispose of any surplus personal property; and

16 (2) shall seek to gain the maximum value for the State in the disposition.

17 (d) (1) The Secretary shall dispose of surplus personal property:

18 (i) by dismantling it for recovery of valuable parts;

19 (ii) by trading it in;

20 (iii) by transferring it to a local jurisdiction or nonprofit
21 organization;

22 (IV) BY TRANSFERRING IT TO A PUBLIC SCHOOL;

23 [(iv)] (V) by auctioning or selling it, including selling it for scrap
24 value; or

25 [(v)] (VI) if no value can be realized from it, by destroying it.

26 (2) If surplus personal property is destroyed under this subsection, the
27 unit of the State government that declared the item to be excess personal property
28 shall pay any cost of destruction.

29 (e) The Secretary may delegate the authority to dispose of surplus personal
30 property to a designee of the Secretary or, by regulation, to another unit of the State
31 government.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2005.