

DISPOSAL OF CERTAIN SURPLUS PROPERTY

2013 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill exempts certain property acquired by the Department of Transportation from the state surplus property program.

Highlighted Provisions:

This bill:

- ▶ provides that the Department of Transportation is exempt from using the state surplus property program when disposing of surplus personal property that was acquired as part of a transaction or legal action by the department acquiring real property for a state transportation purpose;
- ▶ provides that proceeds from the sale, exchange, or other disposition of certain surplus personal property shall be deposited with the state treasurer and credited to the Transportation Fund if sold, exchanged, or disposed of by the Department of Transportation; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63A-2-409, as enacted by Laws of Utah 2012, Chapter 427

72-5-110, as last amended by Laws of Utah 2001, Chapter 79

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63A-2-409** is amended to read:

63A-2-409. Disposal of certain surplus property.

This part does not apply to disposal by:

33 (1) the legislative branch of surplus property that is information technology equipment
34 or a personal handheld device, if the Legislative Management Committee, by rule, establishes
35 its own policy for disposal, by the legislative branch, of surplus property that is information
36 technology equipment or a personal handheld device[-]; or

37 (2) the Department of Transportation of surplus personal property that was acquired as
38 part of a transaction or legal action by the Department of Transportation acquiring real property
39 for a state transportation purpose.

40 Section 2. Section **72-5-110** is amended to read:

41 **72-5-110. Acquisition of personal property -- Disposal of certain personal**
42 **property.**

43 (1) The department may:

44 (a) acquire by gift, agreement, exchange, purchase, or otherwise machinery, tools,
45 equipment, materials, supplies, or other personal property necessary for the administration,
46 construction, maintenance, and operation of the state highways[-]; and [~~may~~]

47 (b) sell, exchange, or otherwise dispose of the machinery, tools, equipment, materials,
48 supplies, and other personal property described in Subsection (1)(a) when no longer suitable or
49 required for state transportation purposes.

50 (2) In accordance with Section 63A-2-409, the department is exempt from using the
51 state surplus property program when disposing of surplus personal property that was acquired
52 as part of a transaction or legal action by the department acquiring real property for a state
53 transportation purpose.

54 (3) Proceeds from the sale, exchange, or other disposition of property described in
55 Subsection (2) shall be deposited with the state treasurer and credited to the Transportation
56 Fund.