

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

29 Section 1. Section **63A-9-808** is amended to read:

30 **63A-9-808. Personal handheld electronic device -- Rulingmaking on giving**
31 **priority to state and local agencies in purchasing surplus property -- Rulemaking on the**
32 **sale or use of a personal handheld electronic device.**

33 ~~[The]~~ (1) As used in this section, "personal handheld electronic device":

34 (a) means an electronic device that is designed for handheld use and permits the user to
35 store or access information, the primary value of which is specific to the user of the device; and

36 (b) includes a mobile phone, pocket personal computer, personal digital assistant,
37 wireless, or similar device.

38 (2) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
39 division shall make rules;

40 (a) giving ~~[priority to]~~ state and local agencies ~~[in purchasing]~~ priority to purchase
41 surplus property for a 30-day period~~[-]~~except for personal handheld electronic devices under
42 Subsection (2)(b); and

43 (b) allowing the sale of a personal handheld electronic device to a user who:

44 (i) is provided the device as part of the user's employment; and

45 (ii) subsequently makes a change in employment status including, departure,
46 retirement, or transfer to another agency within state government.

47 Section 2. **Effective date.**

48 If approved by two-thirds of all the members elected to each house, this bill takes effect
49 upon approval by the governor, or the day following the constitutional time limit of Utah
50 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
51 the date of veto override.

Legislative Review Note
as of 1-6-06 9:49 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel