

1                                   **DISPOSAL OF CERTAIN SURPLUS PROPERTY**

2   2013 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Stewart Barlow**

5                                   Senate Sponsor: J. Stuart Adams

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7 **LONG TITLE**

8 **General Description:**

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

11 **Highlighted Provisions:**

12           This bill:

13           ▶ provides that the Department of Transportation is exempt from using the state  
14 surplus property program when disposing of surplus personal property that was  
15 acquired as part of a transaction or legal action by the department acquiring real  
16 property for a state transportation purpose;

17           ▶ provides that proceeds from the sale, exchange, or other disposition of certain  
18 surplus personal property shall be deposited with the state treasurer and credited to  
19 the Transportation Fund if sold, exchanged, or disposed of by the Department of  
20 Transportation; and

21           ▶ makes technical changes.

22 **Money Appropriated in this Bill:**

23           None

24 **Other Special Clauses:**

25           None

26 **Utah Code Sections Affected:**

27 **AMENDS:**

28           **63A-2-409**, as enacted by Laws of Utah 2012, Chapter 427

29           **72-5-110**, as last amended by Laws of Utah 2001, Chapter 79

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31 *Be it enacted by the Legislature of the state of Utah:*32 Section 1. Section **63A-2-409** is amended to read:33 **63A-2-409. Disposal of certain surplus property.**

34 This part does not apply to disposal by:

35 (1) the legislative branch of surplus property that is information technology equipment  
36 or a personal handheld device, if the Legislative Management Committee, by rule, establishes  
37 its own policy for disposal, by the legislative branch, of surplus property that is information  
38 technology equipment or a personal handheld device[;]; or39 (2) the Department of Transportation of surplus personal property that was acquired as  
40 part of a transaction or legal action by the Department of Transportation acquiring real property  
41 for a state transportation purpose.42 Section 2. Section **72-5-110** is amended to read:43 **72-5-110. Acquisition of personal property -- Disposal of certain personal**  
44 **property.**45 (1) The department may:46 (a) acquire by gift, agreement, exchange, purchase, or otherwise machinery, tools,  
47 equipment, materials, supplies, or other personal property necessary for the administration,  
48 construction, maintenance, and operation of the state highways[;]; and [may]49 (b) sell, exchange, or otherwise dispose of the machinery, tools, equipment, materials,  
50 supplies, and other personal property described in Subsection (1)(a) when no longer suitable or  
51 required for state transportation purposes.52 (2) In accordance with Section 63A-2-409, the department is exempt from using the  
53 state surplus property program when disposing of surplus personal property that was acquired  
54 as part of a transaction or legal action by the department acquiring real property for a state  
55 transportation purpose.56 (3) Proceeds from the sale, exchange, or other disposition of property described in  
57 Subsection (2) shall be deposited with the state treasurer and credited to the Transportation

58 Fund.