

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

6

7 **LONG TITLE**

8 **Committee Note:**

9 The Transportation Interim Committee recommended this bill.

10 **General Description:**

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

13 **Highlighted Provisions:**

14 This bill:

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

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

23 ▶ makes technical changes.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **63A-2-409**, as enacted by Laws of Utah 2012, Chapter 427

31 **72-5-110**, as last amended by Laws of Utah 2001, Chapter 79



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

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

35 **63A-2-409. Disposal of certain surplus property.**

36 This part does not apply to disposal by:

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

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

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

45 **72-5-110. Acquisition of personal property -- Disposal of certain personal**
46 **property.**

47 (1) The department may:

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

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

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

58 (3) Proceeds from the sale, exchange, or other disposition of property described in

59 Subsection (2) shall be deposited with the state treasurer and credited to the Transportation
60 Fund.

Legislative Review Note
as of 10-22-12 6:56 AM

Office of Legislative Research and General Counsel