

Effective 5/10/2016

Chapter 54
Local Government Sale of Procurement Item

11-54-101 Title.

This chapter is known as "Local Government Sale of Procurement Item."

Enacted by Chapter 180, 2016 General Session

11-54-102 Definitions.

As used in this chapter:

- (1) "Buyback purchaser" means a person who buys a procurement item from the local government entity to which the person previously sold the procurement item.
- (2) "Excess repurchase amount" means the difference between:
 - (a) the amount a buyback purchaser pays to a local government entity to purchase a procurement item that the buyback purchaser previously sold to the local government entity; and
 - (b) the amount the local government entity paid to the buyback purchaser to purchase the procurement item.
- (3) "Local government entity" means a county, city, town, metro township, local district, special service district, community development and renewal agency, conservation district, or school district that is not subject to Title 63G, Chapter 6a, Utah Procurement Code.
- (4) "Procurement item" means the same as that term is defined in Section 63G-6a-103.

Enacted by Chapter 180, 2016 General Session

11-54-103 Sale of previously purchased item -- Limitations.

A local government entity that sells a procurement item to a buyback purchaser for an amount that exceeds the amount the local government entity paid for the procurement item:

- (1) shall require the buyback purchaser to pay cash for the procurement item;
- (2) may not accept the excess repurchase amount in the form of a credit, discount, or other incentive on a future purchase that the local government entity makes from the buyback purchaser; and
- (3) may not use the excess repurchase amount to acquire an additional procurement item from the person who paid the excess repurchase amount.

Enacted by Chapter 180, 2016 General Session