

Effective 5/12/2020

63A-2-101.5 Definitions.

As used in this chapter:

- (1) "Division" means the Division of Purchasing and General Services created under Section 63A-2-101.
- (2) "Federal surplus property" means surplus property of the federal government of the United States.
- (3) "Information technology equipment" means equipment capable of downloading, accessing, manipulating, storing, or transferring electronic data, including:
 - (a) a computer;
 - (b) a smart phone, electronic tablet, personal digital assistant, or other portable electronic device;
 - (c) a digital copier or multifunction printer;
 - (d) a flash drive or other portable electronic data storage device;
 - (e) a server; and
 - (f) any other similar device.
- (4) "Person with a disability" means a person with a severe, chronic disability that:
 - (a) is attributable to a mental or physical impairment or a combination of mental and physical impairments; and
 - (b) is likely to continue indefinitely.
- (5) "Property act" means the Federal Property and Administrative Services Act of 1949, 40 U.S.C. Sec. 549.
- (6) "Purchasing director" means the director of the division appointed under Section 63A-2-102.
- (7) "Smart phone" means an electronic device that combines a cell phone with a hand-held computer, typically offering Internet access, data storage, and text and email capabilities.
- (8) "State agency" means any executive branch department, division, or other agency of the state.
- (9) "State surplus property":
 - (a) means state-owned property, whether acquired by purchase, seizure, donation, or otherwise:
 - (i) that is no longer being used by the state or no longer usable by the state;
 - (ii) that is out of date;
 - (iii) that is damaged and cannot be repaired or cannot be repaired at a cost that is less than the property's value;
 - (iv) whose useful life span has expired; or
 - (v) that the state agency possessing the property determines is not required to meet the needs or responsibilities of the state agency;
 - (b) includes:
 - (i) a motor vehicle;
 - (ii) equipment;
 - (iii) furniture;
 - (iv) information technology equipment;
 - (v) a supply; and
 - (vi) an aircraft; and
 - (c) does not include:
 - (i) real property;
 - (ii) an asset of the School and Institutional Trust Lands Administration, established in Section 53C-1-201;
 - (iii) a firearm or ammunition; or
 - (iv) an office or household item made of aluminum, paper, plastic, cardboard, or other recyclable material, without any meaningful value except for recycling purposes.

- (10) "State surplus property contractor" means a person in the private sector under contract with the state to provide one or more services related to the division's program for the management and disposition of state surplus property.
- (11) "Surplus property program" means the program relating to state surplus property under Part 4, Surplus Property Service.
- (12) "Surplus property program administrator" means:
 - (a) the purchasing director, if the purchasing director administers the surplus property program;
or
 - (b) the state surplus property contractor, if the state surplus property contractor administers the surplus property program.

Amended by Chapter 243, 2020 General Session