

**SURPLUS PROPERTY AMENDMENTS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Peter C. Knudson**

House Sponsor: Ben C. Ferry

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**LONG TITLE**

**General Description:**

This bill modifies the Administrative Services Code to amend certain rulemaking authority of the Division of Fleet Operations.

**Highlighted Provisions:**

This bill:

- ▶ defines personal handheld electronic device;
- ▶ provides an exception for rulemaking authority giving priority to state and local agencies on the purchase of certain surplus property;
- ▶ allows the Division of Fleet Operations to make rules to provide for the sale of personal handheld electronic devices to certain users upon a change in employment status; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides an immediate effective date.

**Utah Code Sections Affected:**

AMENDS:

**63A-9-808**, as renumbered and amended by Chapter 252, Laws of Utah 1997

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

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

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