

---

**BILL REQUEST - CODE REVISER'S OFFICE**

---

BILL REQ. #: H-2499.1/99

ATTY/TYPIST: SCG:seg

BRIEF TITLE:

2 **ESSB 5175** - H COMM AMD **ADOPTED 04/06/99**  
3 By Committee on Education

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 39.33 RCW  
8 to read as follows:

9 (1) An agency as defined in RCW 42.52.010 may donate to any school  
10 district or educational service district surplus computers and  
11 computer-related equipment.

12 (2) By September 1, 1999, the office of superintendent of public  
13 instruction and the department of general administration shall jointly  
14 develop guidelines and distribution standards for the purpose of  
15 implementing subsection (1) of this section. The guidelines and  
16 distribution standards shall include considerations for quality,  
17 school-district needs, and accountability, and shall give priority to  
18 meeting the computer-related needs of children with disabilities,  
19 including those disabilities that require the portability of laptop  
20 computers.

21 **Sec. 2.** RCW 43.19.1919 and 1997 c 264 s 2 are each amended to read  
22 as follows:

23 Except as provided in RCW 28A.335.180 (~~and~~), 43.19.1920, and  
24 section 1 of this act, the division of purchasing shall sell or  
25 exchange personal property belonging to the state for which the agency,  
26 office, department, or educational institution having custody thereof  
27 has no further use, at public or private sale, and cause the moneys  
28 realized from the sale of any such property to be paid into the fund  
29 from which such property was purchased or, if such fund no longer  
30 exists, into the state general fund: PROVIDED, Sales of capital assets  
31 may be made by the division of purchasing and a credit established in  
32 central stores for future purchases of capital items as provided for in  
33 RCW 43.19.190 through 43.19.1939, as now or hereafter amended:  
34 PROVIDED FURTHER, That personal property, excess to a state agency,  
35 including educational institutions, shall not be sold or disposed of

1 prior to reasonable efforts by the division of purchasing to determine  
2 if other state agencies have a requirement for such personal property.  
3 Such determination shall follow sufficient notice to all state agencies  
4 to allow adequate time for them to make their needs known. Surplus  
5 items may be disposed of without prior notification to state agencies  
6 if it is determined by the director of general administration to be in  
7 the best interest of the state. The division of purchasing shall  
8 maintain a record of disposed surplus property, including date and  
9 method of disposal, identity of any recipient, and approximate value of  
10 the property: PROVIDED, FURTHER, That this section shall not apply to  
11 personal property acquired by a state organization under federal grants  
12 and contracts if in conflict with special title provisions contained in  
13 such grants or contracts.

14 This section does not apply to property under RCW 27.53.045.

15 **Sec. 3.** RCW 28A.335.180 and 1997 c 264 s 1 and 1997 c 104 s 1 are  
16 each reenacted and amended to read as follows:

17 (1) Notwithstanding any other provision of law, school districts,  
18 educational service districts, or any other state or local governmental  
19 agency concerned with education, when declaring texts and other books,  
20 equipment, materials or relocatable facilities as surplus, shall, prior  
21 to other disposal thereof, serve notice in writing in a newspaper of  
22 general circulation in the school district and to any public school  
23 district or private school in Washington state annually requesting such  
24 a notice, that the same is available for sale, rent, or lease to public  
25 school districts or approved private schools, at depreciated cost or  
26 fair market value, whichever is greater: PROVIDED, That students  
27 wishing to purchase texts pursuant to RCW 28A.320.230(2) shall have  
28 priority as to such texts. The notice requirement in this section does  
29 not apply to the sale or transfer of assistive devices under RCW  
30 28A.335.205 or chapter 72.40 RCW. Such districts or agencies shall not  
31 otherwise sell, rent or lease such surplus property to any person,  
32 firm, organization, or nongovernmental agency for at least thirty days  
33 following publication of notice in a newspaper of general circulation  
34 in the school district.

35 (2) In lieu of complying with subsection (1) of this section,  
36 school districts and educational service districts may elect to grant  
37 surplus personal property to a federal, state, or local governmental  
38 entity, or to indigent persons, at no cost on the condition the

1 property be used for preschool through twelfth grade educational  
2 purposes, or elect to loan surplus personal property to a nonreligious,  
3 nonsectarian private entity on the condition the property be used for  
4 the preschool through twelfth grade education of members of the public  
5 on a nondiscriminatory basis.

6 (3) The office of superintendent of public instruction may  
7 distribute surplus computers and computer-related equipment in  
8 accordance with section 1 of this act. The office of the  
9 superintendent of public instruction may provide information about the  
10 availability of those items to school districts and educational service  
11 districts. In any distribution of computers and computer-related  
12 equipment, the office shall give priority to school districts and  
13 educational service districts seeking computers for students with  
14 disabilities, including those disabilities that require the portability  
15 of laptop computers."

EFFECT: All state agencies may donate surplus computers and  
computer related equipment to school districts and educational service  
districts. OSPI may distribute both computers and information about  
the availability of the computers to districts. Priority in the  
distribution of computers shall be given to districts seeking computers  
for students with disabilities, including those disabilities that  
require the portability of laptop computers.

--- END ---