
ENGROSSED SUBSTITUTE SENATE BILL 5175

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on State & Local Government (originally sponsored by Senators Patterson, Horn, Franklin, Eide, B. Sheldon, Finkbeiner, McCaslin, Goings, Oke, Winsley, Kohl-Welles, Fraser, Rasmussen, Costa and Benton; by request of Department of General Administration and Superintendent of Public Instruction)

Read first time 02/05/1999.

1 AN ACT Relating to the donation of surplus computers and computer-
2 related equipment to school districts in Washington and educational
3 service districts in Washington; amending RCW 43.19.1919; reenacting
4 and amending RCW 28A.335.180; and adding a new section to chapter 39.33
5 RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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 subsection (3) of this section may
10 donate to any school district or educational service district surplus
11 computers and computer-related equipment.

12 (2) The office of superintendent of public instruction and the
13 department of general administration shall jointly, by September 1,
14 1999, 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 need, and accountability.

18 (3) "Agency" means any state board, commission, bureau, committee,
19 department, institution, division, or tribunal in the executive or

1 judicial branch of state government, including those institutions of
2 higher education created and supported by the state government, and
3 those courts that are parts of state government.

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

6 Except as provided in RCW 28A.335.180 (~~and~~), 43.19.1920, and
7 section 1 of this act, the division of purchasing shall sell or
8 exchange personal property belonging to the state for which the agency,
9 office, department, or educational institution having custody thereof
10 has no further use, at public or private sale, and cause the moneys
11 realized from the sale of any such property to be paid into the fund
12 from which such property was purchased or, if such fund no longer
13 exists, into the state general fund: PROVIDED, Sales of capital assets
14 may be made by the division of purchasing and a credit established in
15 central stores for future purchases of capital items as provided for in
16 RCW 43.19.190 through 43.19.1939, as now or hereafter amended:
17 PROVIDED FURTHER, That personal property, excess to a state agency,
18 including educational institutions, shall not be sold or disposed of
19 prior to reasonable efforts by the division of purchasing to determine
20 if other state agencies have a requirement for such personal property.
21 Such determination shall follow sufficient notice to all state agencies
22 to allow adequate time for them to make their needs known. Surplus
23 items may be disposed of without prior notification to state agencies
24 if it is determined by the director of general administration to be in
25 the best interest of the state. The division of purchasing shall
26 maintain a record of disposed surplus property, including date and
27 method of disposal, identity of any recipient, and approximate value of
28 the property: PROVIDED, FURTHER, That this section shall not apply to
29 personal property acquired by a state organization under federal grants
30 and contracts if in conflict with special title provisions contained in
31 such grants or contracts.

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

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

35 (1) Notwithstanding any other provision of law, school districts,
36 educational service districts, or any other state or local governmental
37 agency concerned with education, when declaring texts and other books,

1 equipment, materials or relocatable facilities as surplus, shall, prior
2 to other disposal thereof, serve notice in writing in a newspaper of
3 general circulation in the school district and to any public school
4 district or private school in Washington state annually requesting such
5 a notice, that the same is available for sale, rent, or lease to public
6 school districts or approved private schools, at depreciated cost or
7 fair market value, whichever is greater: PROVIDED, That students
8 wishing to purchase texts pursuant to RCW 28A.320.230(2) shall have
9 priority as to such texts. The notice requirement in this section does
10 not apply to the sale or transfer of assistive devices under RCW
11 28A.335.205 or chapter 72.40 RCW. Such districts or agencies shall not
12 otherwise sell, rent or lease such surplus property to any person,
13 firm, organization, or nongovernmental agency for at least thirty days
14 following publication of notice in a newspaper of general circulation
15 in the school district.

16 (2) In lieu of complying with subsection (1) of this section,
17 school districts and educational service districts may elect to grant
18 surplus personal property to a federal, state, or local governmental
19 entity, or to indigent persons, at no cost on the condition the
20 property be used for preschool through twelfth grade educational
21 purposes, or elect to loan surplus personal property to a nonreligious,
22 nonsectarian private entity on the condition the property be used for
23 the preschool through twelfth grade education of members of the public
24 on a nondiscriminatory basis.

25 (3) The office of superintendent of public instruction may donate
26 surplus computers in accordance with section 1 of this act.

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