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SENATE BILL 5175

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State of Washington

56th Legislature

1999 Regular Session

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 01/15/1999. Referred to Committee on State & Local Government.

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 RCW 42.52.010 may donate to any school  
10 district or educational service district surplus computers and  
11 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.

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

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

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

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

32       (1) Notwithstanding any other provision of law, school districts,  
33 educational service districts, or any other state or local governmental  
34 agency concerned with education, when declaring texts and other books,  
35 equipment, materials or relocatable facilities as surplus, shall, prior  
36 to other disposal thereof, serve notice in writing in a newspaper of  
37 general circulation in the school district and to any public school  
38 district or private school in Washington state annually requesting such

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

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

21 (3) The office of superintendent of public instruction may  
22 distribute surplus computers in accordance with section 1 of this act.

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