

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Property Control Act is amended by
5 changing Section 7 as follows:

6 (30 ILCS 605/7) (from Ch. 127, par. 133b10)

7 Sec. 7. Disposition of transferable property.

8 (a) Except as provided in subsection (c), whenever a
9 responsible officer considers it advantageous to the State to
10 dispose of transferable property by trading it in for credit
11 on a replacement of like nature, the responsible officer shall
12 report the trade-in and replacement to the administrator on
13 forms furnished by the latter. The exchange, trade or transfer
14 of "textbooks" as defined in Section 18-17 of the School Code
15 between schools or school districts pursuant to regulations
16 adopted by the State Board of Education under that Section
17 shall not constitute a disposition of transferable property
18 within the meaning of this Section, even though such exchange,
19 trade or transfer occurs within 5 years after the textbooks
20 are first provided for loan pursuant to Section 18-17 of the
21 School Code.

22 (b) Except as provided in subsection (c), whenever it is
23 deemed necessary to dispose of any item of transferable

1 property, the administrator shall proceed to dispose of the
2 property by sale or scrapping as the case may be, in whatever
3 manner he considers most advantageous and most profitable to
4 the State. Items of transferable property which would
5 ordinarily be scrapped and disposed of by burning or by burial
6 in a landfill may be examined and a determination made whether
7 the property should be recycled. This determination and any
8 sale of recyclable property shall be in accordance with rules
9 promulgated by the Administrator.

10 When the administrator determines that property is to be
11 disposed of by sale, he shall offer it first to the following
12 entities for purchase at an appraised value:

13 (1) municipalities, counties, and school districts of
14 the State; ~~and to~~

15 (2) charitable, not-for-profit educational and public
16 health organizations, including but not limited to medical
17 institutions, clinics, hospitals, health centers, schools,
18 colleges, universities, child care centers, museums,
19 nursing homes, programs for the elderly, food banks, State
20 Use Sheltered Workshops and the Boy and Girl Scouts of
21 America; ~~for purchase at an appraised value.~~

22 (3) minority-owned businesses, as defined in Section 2
23 of the Business Enterprise for Minorities, Women, and
24 Persons with Disabilities Act; and

25 (4) qualified veteran-owned small businesses, as
26 defined in Section 45-57 of the Illinois Procurement Code.

1 Notice of inspection or viewing dates and property lists
2 shall be distributed in the manner provided in rules and
3 regulations promulgated by the Administrator for that purpose.

4 Electronic data processing equipment purchased and charged
5 to appropriations may, at the discretion of the administrator,
6 be sold, pursuant to contracts entered into by the Director of
7 Central Management Services or the heads of agencies exempt
8 from "The Illinois Purchasing Act". However such equipment
9 shall not be sold at prices less than the purchase cost thereof
10 or depreciated value as determined by the administrator. No
11 sale of the electronic data processing equipment and lease to
12 the State by the purchaser of such equipment shall be made
13 under this Act unless the Director of Central Management
14 Services finds that such contracts are financially
15 advantageous to the State.

16 Disposition of other transferable property by sale, except
17 sales directly to local governmental units, school districts,
18 and not-for-profit educational, charitable and public health
19 organizations, shall be subject to the following minimum
20 conditions:

21 (1) The administrator shall cause the property to be
22 advertised for sale to the highest responsible bidder,
23 stating time, place, and terms of such sale at least 7 days
24 prior to the time of sale and at least once in a newspaper
25 having a general circulation in the county where the
26 property is to be sold.

1 (2) If no acceptable bids are received, the
2 administrator may then sell the property in whatever
3 manner he considers most advantageous and most profitable
4 to the State.

5 (c) Notwithstanding any other provision of this Act, an
6 agency covered by this Act may transfer books, serial
7 publications, or other library materials that are transferable
8 property, or that have been withdrawn from the agency's
9 library collection through a regular collection evaluation
10 process, to any of the following entities:

11 (1) Another agency covered by this Act located in
12 Illinois.

13 (2) A State supported university library located in
14 Illinois.

15 (3) A tax-supported public library located in
16 Illinois, including a library established by a public
17 library district.

18 (4) A library system organized under the Illinois
19 Library System Act or any library located in Illinois that
20 is a member of such a system.

21 (5) A non-profit agency, located in or outside
22 Illinois.

23 A transfer of property under this subsection is not
24 subject to the requirements of subsection (a) or (b).

25 In addition, an agency covered by this Act may sell or
26 exchange books, serial publications, and other library

1 materials that have been withdrawn from its library collection
2 through a regular collection evaluation process. Those items
3 may be sold to the public at library book sales or to book
4 dealers or may be offered through exchange to book dealers or
5 other organizations. Revenues generated from the sale of
6 withdrawn items shall be retained by the agency in a separate
7 account to be used solely for the purchase of library
8 materials; except that in the case of the State Library,
9 revenues from the sale of withdrawn items shall be deposited
10 into the State Library Fund to be used for the purposes stated
11 in Section 25 of the State Library Act.

12 For purposes of this subsection (c), "library materials"
13 means physical entities of any substance that serve as
14 carriers of information, including, without limitation, books,
15 serial publications, periodicals, microforms, graphics, audio
16 or video recordings, and machine readable data files.

17 (d) Notwithstanding any other provision of this Act, the
18 Director of the Illinois State Police may dispose of a service
19 firearm or police badge issued or previously issued to a
20 retiring or separating State Police officer as provided in
21 Section 17b of the Illinois State Police Act. The Director of
22 Natural Resources may dispose of a service firearm or police
23 badge issued previously to a retiring Conservation Police
24 Officer as provided in Section 805-538 of the Department of
25 Natural Resources (Conservation) Law of the Civil
26 Administrative Code of Illinois. The Director of the Secretary

1 of State Department of Police may dispose of a service firearm
2 or police badge issued or previously issued to a retiring
3 Secretary of State Police officer, inspector, or investigator
4 as provided in Section 2-116 of the Illinois Vehicle Code. The
5 Office of the State Fire Marshal may dispose of a service
6 firearm or badge previously issued to a State Fire Marshal
7 Arson Investigator Special Agent who is honorably retiring or
8 separating in good standing as provided in subsection (c) of
9 Section 1 of the Peace Officer Fire Investigation Act.

10 (Source: P.A. 102-538, eff. 8-20-21.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.