



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0314

Introduced 1/19/2007, by Rep. Harry R. Ramey, Jr.

#### SYNOPSIS AS INTRODUCED:

30 ILCS 605/7

from Ch. 127, par. 133b10

30 ILCS 780/5-110 new

Amends the State Property Control Act and the Eliminate the Digital Divide Law. Provides that State employers and agencies may donate their used computers free of charge to individuals and entities within the State that are negatively impacted by the digital divide. Provides that the Department of Commerce and Economic Opportunity shall establish rules for distributing the computers.

LRB095 04839 HLH 24900 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 on  
11 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 are  
20 first provided for loan pursuant to Section 18-17 of the School  
21 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  
12 municipalities, counties, and school districts of the State and  
13 to charitable, not-for-profit educational and public health  
14 organizations, including but not limited to medical  
15 institutions, clinics, hospitals, health centers, schools,  
16 colleges, universities, child care centers, museums, nursing  
17 homes, programs for the elderly, food banks, State Use  
18 Sheltered Workshops and the Boy and Girl Scouts of America, for  
19 purchase at an appraised value. Notice of inspection or viewing  
20 dates and property lists shall be distributed in the manner  
21 provided in rules and regulations promulgated by the  
22 Administrator for that purpose.

23 Electronic data processing equipment purchased and charged  
24 to appropriations may, at the discretion of the administrator,  
25 be sold, pursuant to contracts entered into by the Director of  
26 Central Management Services or the heads of agencies exempt

1 from "The Illinois Purchasing Act". However such equipment  
2 shall not be sold at prices less than the purchase cost thereof  
3 or depreciated value as determined by the administrator. No  
4 sale of the electronic data processing equipment and lease to  
5 the State by the purchaser of such equipment shall be made  
6 under this Act unless the Director of Central Management  
7 Services finds that such contracts are financially  
8 advantageous to the State.

9 Surplus State computers that are in good operating  
10 condition may also be donated pursuant to Section 5-110 of the  
11 Eliminate the Digital Divide Law.

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

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

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

1 (c) Notwithstanding any other provision of this Act, an  
2 agency covered by this Act may transfer books, serial  
3 publications, or other library materials that are transferable  
4 property to any of the following entities located in Illinois:

5 (1) Another agency covered by this Act.

6 (2) A State supported university library.

7 (3) A tax-supported public library, including a  
8 library established by a public library district.

9 (4) A library system organized under the Illinois  
10 Library System Act or any library that is a member of such  
11 a system.

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

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

19 (Source: P.A. 89-188, eff. 7-19-95.)

20 Section 10. The Eliminate the Digital Divide Law is amended  
21 by adding Section 5-110 as follows:

22 (30 ILCS 780/5-110 new)

23 Sec. 5-110. State computer donation program. State  
24 employers and agencies may donate their used computers free of

1 charge to individuals and entities within the State that are  
2 negatively impacted by the digital divide. The computers must  
3 be in good working condition. The Department shall establish  
4 rules for distributing the computers, which shall take into  
5 account the need and financial resources of the recipient.