

1 AN ACT concerning State property.

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
12 shall report the trade-in and replacement to the
13 administrator on forms furnished by the latter. The exchange,
14 trade or transfer of "textbooks" as defined in Section 18-17
15 of the School Code between schools or school districts
16 pursuant to regulations adopted by the State Board of
17 Education under that Section shall not constitute a
18 disposition of transferable property within the meaning of
19 this Section, even though such exchange, trade or transfer
20 occurs within 5 years after the textbooks are first provided
21 for loan pursuant to Section 18-17 of the School Code.

22 (b) Except as provided in subsection (c) or (d),
23 whenever it is deemed necessary to dispose of any item of
24 transferable property, the administrator shall proceed to
25 dispose of the property by sale or scrapping as the case may
26 be, in whatever manner he considers most advantageous and
27 most profitable to the State. Items of transferable property
28 which would ordinarily be scrapped and disposed of by burning
29 or by burial in a landfill may be examined and a
30 determination made whether the property should be recycled.
31 This determination and any sale of recyclable property shall

1 be in accordance with rules promulgated by the Administrator.

2 When the administrator determines that property is to be
3 disposed of by sale, he shall offer it first to the
4 municipalities, counties, and school districts of the State
5 and to charitable, not-for-profit educational and public
6 health organizations, including but not limited to medical
7 institutions, clinics, hospitals, health centers, schools,
8 colleges, universities, child care centers, museums, nursing
9 homes, programs for the elderly, food banks, State Use
10 Sheltered Workshops and the Boy and Girl Scouts of America,
11 for purchase at an appraised value. Notice of inspection or
12 viewing dates and property lists shall be distributed in the
13 manner provided in rules and regulations promulgated by the
14 Administrator for that purpose.

15 Electronic data processing equipment purchased and
16 charged to appropriations may, at the discretion of the
17 administrator, be sold, pursuant to contracts entered into by
18 the Director of Central Management Services or the heads of
19 agencies exempt from "The Illinois Purchasing Act". However
20 such equipment shall not be sold at prices less than the
21 purchase cost thereof or depreciated value as determined by
22 the administrator. No sale of the electronic data processing
23 equipment and lease to the State by the purchaser of such
24 equipment shall be made under this Act unless the Director of
25 Central Management Services finds that such contracts are
26 financially advantageous to the State.

27 Disposition of other transferable property by sale,
28 except sales directly to local governmental units, school
29 districts, and not-for-profit educational, charitable and
30 public health organizations, shall be subject to the
31 following minimum conditions:

32 (1) The administrator shall cause the property to
33 be advertised for sale to the highest responsible bidder,
34 stating time, place, and terms of such sale at least 7

1 days prior to the time of sale and at least once in a
2 newspaper having a general circulation in the county
3 where the property is to be sold.

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

8 (c) Notwithstanding any other provision of this Act
9 except subsection (d), an agency covered by this Act may
10 transfer books, serial publications, or other library
11 materials that are transferable property to any of the
12 following entities located in Illinois:

13 (1) Another agency covered by this Act.

14 (2) A State supported university library.

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

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

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

22 For purposes of this subsection (c), "library materials"
23 means physical entities of any substance that serve as
24 carriers of information, including, without limitation,
25 books, serial publications, periodicals, microforms,
26 graphics, audio or video recordings, and machine readable
27 data files.

28 (d) Notwithstanding any other provision of this Act, an
29 agency that is an institution of higher education may dispose
30 of an item of transferable property by donating that item to
31 a not-for-profit entity for use in Illinois. A transfer of
32 property under this subsection is not subject to subsection
33 (b) or (c).

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

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.