

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 this subsection and subsection
9 (c), whenever a responsible officer considers it advantageous
10 to the State to dispose of transferable property by trading
11 it in for credit on a replacement of like nature, the
12 responsible officer shall report the trade-in and replacement
13 to the administrator on forms furnished by the latter. The
14 exchange, trade or transfer of "textbooks" as defined in
15 Section 18-17 of the School Code between schools or school
16 districts pursuant to regulations adopted by the State Board
17 of 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 This subsection does not apply to vehicles. Vehicles
23 must be disposed of in accordance with subsection (b).

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

1 whether the property should be recycled. This determination
2 and any sale of recyclable property shall be in accordance
3 with rules promulgated by the Administrator.

4 When the Administrator determines that a vehicle is to be
5 disposed of by sale, it shall be offered first to recipients
6 of the Temporary Assistance for Needy Families (TANF) program
7 in a manner the Administrator shall prescribe by rule. If
8 unsold, the vehicle shall then be offered for sale in the
9 manner provided in this subsection for other property.

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
13 and to charitable, not-for-profit educational and public
14 health 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,
19 for purchase at an appraised value. Notice of inspection or
20 viewing dates and property lists shall be distributed in the
21 manner provided in rules and regulations promulgated by the
22 Administrator for that purpose.

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

1 Disposition of other transferable property by sale,
2 except sales of vehicles to TANF recipients and except sales
3 directly to local governmental units, school districts, and
4 not-for-profit educational, charitable and public health
5 organizations, shall be subject to the following minimum
6 conditions:

7 (1) The administrator shall cause the property to
8 be advertised for sale to the highest responsible bidder,
9 stating time, place, and terms of such sale at least 7
10 days prior to the time of sale and at least once in a
11 newspaper having a general circulation in the county
12 where the property is to be sold.

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

17 (c) Notwithstanding any other provision of this Act, an
18 agency covered by this Act may transfer books, serial
19 publications, or other library materials that are
20 transferable property to any of the following entities
21 located in Illinois:

22 (1) Another agency covered by this Act.

23 (2) A State supported university library.

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

26 (4) A library system organized under the Illinois
27 Library System Act or any library that is a member of
28 such a system.

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

31 For purposes of this subsection (c), "library materials"
32 means physical entities of any substance that serve as
33 carriers of information, including, without limitation,
34 books, serial publications, periodicals, microforms,

1 graphics, audio or video recordings, and machine readable
2 data files.

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

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.