

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

FILED SENATE  
Apr 6, 2021  
S.B. 627  
PRINCIPAL CLERK

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SENATE BILL DRS45367-MQ-89

Short Title: State Surplus Prop. Computers for Nonprofits. (Public)

Sponsors: Senator Marcus (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENABLE NONPROFIT ENTITIES THAT DONATE REFURBISHED COMPUTERS TO LOW-INCOME STUDENTS IN THIS STATE TO OBTAIN SURPLUS COMPUTER EQUIPMENT AT LOW OR NO COST FROM THE STATE SURPLUS PROPERTY AGENCY AND THE UNIVERSITY OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 143-64.03 reads as rewritten:

"§ 143-64.03. Powers and duties of the State agency for surplus property.

(a) The State Surplus Property Agency is authorized and directed to:

- (1) Sell all State owned supplies, materials, and equipment that are surplus, obsolete, or unused and sell all seized vehicles and other conveyances that the State Surplus Property Agency is authorized to sell;
- (2) Warehouse such property; and
- (3) Distribute such property to tax-supported or nonprofit tax-exempt organizations.

(b) The State Surplus Property Agency is authorized and empowered to act as a clearinghouse of information for agencies and private nonprofit tax-exempt organizations, to locate property available for acquisition from State agencies, to ascertain the terms and conditions under which the property may be obtained, to receive requests from agencies and private nonprofit tax-exempt organizations, and transmit all available information about the property, and to aid and assist the agencies and private nonprofit tax-exempt organizations in transactions for the acquisition of State surplus property. When distributing computer equipment to nonprofit entities that refurbish computers and donate them to low-income students or households in this State, the State Surplus Property Agency shall distribute the computer equipment at no cost or the lowest possible cost to the nonprofit entities and must give consideration to the counties where the computer equipment will be donated to ensure that all geographic regions of the State benefit from the distributions.

(b1) Nothing in this Article, or any administrative rules promulgated under this Article, shall be deemed to prohibit The University of North Carolina from conveying surplus computer equipment at no cost to nonprofit entities that refurbish computers to donate to low-income students or households in the State. Any conveyance to a nonprofit under this subsection shall be conditioned upon, and in consideration of, the nonprofit's promise to refurbish the computer equipment and its donation to low-income students or households in the State, and the nonprofit's reporting of information required by this subsection. After an initial conveyance, The University of North Carolina shall not convey additional surplus computer equipment to a nonprofit, unless that nonprofit has reported the information required by this subsection for prior conveyances.



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1 When making a distribution under this subsection, The University of North Carolina shall  
2 keep records on the type of computer equipment distributed, the number distributed, the name of  
3 the nonprofit that received the distributions, and the nonprofit's report on donations of refurbished  
4 computers to low-income students or households in the State. If the nonprofit is unable to  
5 refurbish computer equipment for any reason, its report shall include the disposition of such  
6 computer equipment. A nonprofit shall provide a report to the Board of Governors of The  
7 University of North Carolina by August 1, 2021, and by August 1 of each year thereafter. The  
8 report shall contain the information required by this subsection and any other information the  
9 Board of Governors deems reasonably necessary to ensure the conditions required under this  
10 subsection are satisfied. The Board of Governors of The University of North Carolina shall  
11 submit a report containing the information required to be collected under this subsection to the  
12 Joint Legislative Education Oversight Committee by October 1, 2021, and by October 1 of each  
13 year thereafter.

14 ...."

15 **SECTION 2.** This act is effective when it becomes law.