



State of Tennessee

PUBLIC CHAPTER NO. 413

HOUSE BILL NO. 207

By Representatives Leatherwood, Mr. Speaker Casada

Substituted for: Senate Bill No. 269

By Senator Kelsey

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6, Part 20, relative to surplus property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-2007, is amended by deleting the section and substituting instead the following:

(a) It is the general assembly's intent that surplus property in a local education agency (LEA) acquired by taxpayers' dollars, instead of being destroyed, be sold or transferred to a local government, as provided in § 49-6-2006.

(b) All LEAs that receive any state funds shall sell surplus property to the highest bidder after advertising in a newspaper of general circulation at least seven (7) days prior to the sale. The sale may be to the highest bidder through an internet auction website used by the LEA, the local government, or this state. An internet auction conducted under this subsection (b) must be open for bidding for at least seven (7) days. Advertisements for the sale must be in accordance with § 49-6-2006(c)(2).

(c) As used in this section, "surplus property" is that personal property no longer having an intended use by the LEA or no longer capable of being used because of its condition.

(d)

(1) Surplus personal property of LEAs that has no value or that has a value of less than five hundred dollars (\$500) may be disposed of without the necessity of bids as required by this section.

(2) In order for disposal without bids, the executive committee of the local board of education must agree in writing that the property is of no value to the LEA or has a value of less than five hundred dollars (\$500).

(e) This section does not apply to property leased or sold pursuant to § 49-2-203(b)(10).

(f) Notwithstanding any law to the contrary, an LEA may:


(1) Donate computers that have been removed from inventory in its schools to low-income families in the school district. The memory hard drives of all computers to be donated under this subdivision (f)(1) must be sanitized. The department of education shall provide guidance to LEAs as to the donation of such computers, including, but not limited to, setting standards for determining whether a family qualifies for the donation of a computer; or

(2) Dispose of computers by selling or trading them to computer vendors or manufacturers as part of the proposal to purchase new computers for the LEA without having to comply with the bidding requirements of subsection (b).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 29, 2019



GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 21st day of May 2019



BILL LEE, GOVERNOR