

**CHAPTER 14****(SB 129)**

AN ACT relating to surplus local school district technology property.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 160 IS CREATED TO READ AS FOLLOWS:

- (1) *A local board of education may adopt a policy for distribution of refurbished surplus technology to low income students who do not have technology in their homes. The policy shall include:*
  - (a) *A written determination that the property no longer meets the Kentucky Education Technology System standards established by the Kentucky Department of Education;*
  - (b) *A process for identifying eligible students and distributing the surplus technology property; and*
  - (c) *Documentation of all distributions of property.*
- (2) *The local district is encouraged to work with local businesses and organizations to participate in the program and with its career technical programs and student organizations to refurbish the technology; and*
- (3) *The local district shall be subject to subsections (1) to (4) of Section 2 of this Act for any surplus technology not distributed in accordance with this section.*

➔Section 2. KRS 45A.425 is amended to read as follows:

- (1) A local public agency may sell or otherwise dispose of any personal property which is not needed or has become unsuitable for public use, or which would be suitable, consistent with the public interest, for some other use.
- (2) A written determination as to need of suitability of any personal property of the local public agency shall be made; and such determination shall fully describe the personal property; its intended use at the time of acquisition; the reasons why it is in the public interest to dispose of the item; and the method of disposition to be used.
- (3) Surplus or excess personal property as described in this section may be transferred, with or without compensation, to another governmental agency; or it may be sold at public auction or by sealed bids in accordance with KRS 45A.365.
- (4) In the event that a local public agency receives no bids for surplus or excess personal property, either at public auction or by sealed bid, such property may be disposed of, consistent with the public interest, in any manner deemed appropriate by the local public agency. In such instances, a written description of the property, the method of disposal, and the amount of compensation, if any, shall be made. Any compensation resulting from the disposal of surplus or excess personal property shall be transferred to the general fund of the local public agency.
- (5) *A local board of education may dispose of its surplus technology in accordance with Section 1 of this Act.*

**Signed by Governor April 7, 2008.**