

SENATE BILL No. 300

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-22.

Synopsis: Disposal of surplus property. Provides that surplus state personal property that is sold to the general public must be sold either at an auction conducted by an auctioneer licensed in Indiana or through an online auction. Provides that if an auctioneer is engaged to conduct the auction, the commissioner of the department of administration must give preference to an auctioneer who is a resident of Indiana to conduct the auction.

Effective: July 1, 2018.

Raatz, Messmer, Kruse

January 4, 2018, read first time and referred to Committee on Commerce and Technology.



Second Regular Session 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

SENATE BILL No. 300

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-22-21-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 5. Subject to IC 8-23-7
3 and this chapter, all sales of property belonging to a state agency, other
4 than property:

5 (1) on which allowance is made on another purchase with the
6 written approval of the commissioner; or

7 (2) **whose disposition is otherwise provided for in this chapter;**
8 shall be ~~(1)~~ conducted by the commissioner **only under IC 5-22-22-4**
9 **or IC 5-22-22-4.5.** ~~(2) based on competitive bids;~~ and ~~(3) All sales~~
10 **must be** made to the highest responsible bidder.

11 SECTION 2. IC 5-22-22-4 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 4. (a) **Except as**
13 **provided in subsection (b),** if the property to be sold is:

14 (1) one (1) item, with an estimated value of one thousand dollars
15 (\$1,000) or more; or

16 (2) more than one (1) item, with an estimated total value of five
17 thousand dollars (\$5,000) or more;



1 the purchasing agency may engage an auctioneer licensed under
2 IC 25-6.1 to advertise the sale and conduct a public auction.

3 **(b) This subsection applies if the property to be sold is subject**
4 **to IC 5-22-21. If the property is not to be sold under section 4.5 of**
5 **this chapter, the commissioner of the Indiana department of**
6 **administration shall sell the property under this section. In**
7 **engaging an auctioneer under this section, the commissioner shall**
8 **give preference to an auctioneer to conduct the public auction who**
9 **is also a resident of Indiana.**

10 ~~(b)~~ (c) The advertising by an auctioneer under this section must
11 include a detailed description of the property to be sold.

12 ~~(c)~~ (d) The purchasing agency shall pay an auctioneer who conducts
13 a sale under this section from the gross proceeds of the sale received
14 before other expenses and liens are paid.

