

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 ENROLLED ACT No. 300

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

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

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

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

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

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

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

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

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

(b) This subsection applies if the property to be sold is property that belongs to a state agency. If the property is not to be sold

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under section 4.5 of this chapter, the commissioner of the Indiana department of administration shall sell the property under this section. In engaging an auctioneer under this section, the commissioner shall give preference to an auctioneer to conduct the public auction who is also a resident of Indiana.

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

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

SECTION 3. IC 5-22-22-4.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: **Sec. 4.7. (a) This section applies only if both of the following apply:**

(1) The property to be sold is property that belongs to a state agency.

(2) The property will be sold under section 4.5 of this chapter.

(b) If the purchasing agency sells surplus property using an Internet auction site, in addition to the requirements for an Internet auction site under section 4.5 of this chapter, the purchasing agency shall give preference in selection of the Internet auction site to Internet auction sites owned or operated by a person licensed under IC 25-6.1.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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