

HOUSE BILL 73

By Sargent

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 14, relative to disposing of surplus property.

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

SECTION 1. Tennessee Code Annotated, Section 5-14-108(o), is amended by adding the following language as a new subdivision:

(4) Notwithstanding any other provision of law, a procedure may be established upon approval by resolution or ordinance, by a two-thirds (2/3) majority vote of the county legislative body, to provide the purchasing agent, upon request of the county mayor, the authority to declare county owned personal property with an accumulative estimated value of one thousand dollars (\$1,000) or less surplus, obsolete, or unusable personal property and to dispose of the personal property, at the purchasing agent's discretion, by selling the personal property on the open market or by gift, trade, or barter to a nonprofit or charitable organization properly incorporated under the laws of this state and in which no part of the net earnings of the organization inures or may lawfully inure to the benefit of any private shareholder or individual and that it provides services benefiting the general welfare of the residents of the county. Items having an accumulative estimated value that exceeds one thousand dollars (\$1,000) shall not be subdivided in order to circumvent the requirement for public notice or receipt of sealed bids or selling the property through public or internet auction. The purchasing agent shall keep all records of transactions of the disposal of personal property under this subdivision for a minimum of five (5) years.

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

it.