

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017**

**SESSION LAW 2017-67  
SENATE BILL 312**

AN ACT TO ALLOW THE STATE SURPLUS PROPERTY AGENCY TO DISTRIBUTE STATE SURPLUS COMPUTERS TO NONPROFIT ENTITIES THAT REFURBISH AND DONATE COMPUTERS FOR THE BENEFIT OF LOW-INCOME STUDENTS AND HOUSEHOLDS.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 143-64.02 reads as rewritten:

**"§ 143-64.02. Definitions.**

As used in Part 1 of this Article, except where the context clearly requires otherwise:

- ...
- (2) "Nonprofit tax exempt organizations" means ~~those nonprofit tax exempt the following entities certified by the Internal Revenue Service as tax-exempt nonprofit organizations under section 501(c)(3) of the United States Internal Revenue Code of 1954:~~ medical institutions, hospitals, clinics, health centers, school systems, schools, colleges, universities, schools for the mentally retarded, schools for the physically handicapped, radio and television stations licensed by the Federal Communications Commission as educational radio or educational television stations, public libraries, and civil defense organizations, that have been certified by the Internal Revenue Service as tax-exempt nonprofit organizations under section 501(c)(3) of the United States Internal Revenue Code of 1954, and nonprofit entities that are qualified under rules adopted by the State Surplus Property Agency of the Department of Administration to refurbish computers and donate them to low-income students or households throughout the State.

...."

**SECTION 1.(b)** G.S. 143-64.03 reads as rewritten:

**"§ 143-64.03. Powers and duties of the State agency for surplus property.**

- (a) The State Surplus Property Agency is authorized and directed to:
- (1) Sell all State owned supplies, materials, and equipment that are surplus, obsolete, or unused and sell all seized vehicles and other conveyances that the State Surplus Property Agency is authorized to sell;
  - (2) Warehouse such property; and
  - (3) Distribute such property to tax-supported or nonprofit tax-exempt organizations.
- (b) The State Surplus Property Agency is authorized and empowered to act as a clearinghouse of information for agencies and private nonprofit tax-exempt organizations, to locate property available for acquisition from State agencies, to ascertain the terms and conditions under which the property may be obtained, to receive requests from agencies and private nonprofit tax-exempt organizations, and transmit all available information about the property, and to aid and assist the agencies and private nonprofit tax-exempt organizations in transactions for the acquisition of State surplus property. When distributing computer



equipment to nonprofit entities that refurbish computers and donate them to low-income students or households in this State, the State Surplus Property Agency must give consideration to the counties where the computer equipment will be donated to ensure that all geographic regions of the State benefit from the distributions.

(c) The State agency for surplus property, in the administration of Part 1 of this Article, shall cooperate to the fullest extent consistent with the provisions of Part 1 of this Article, with the departments or agencies of the State.

(d) The State agency for surplus property may sell or otherwise dispose of surplus property, including motor vehicles, through an electronic auction service."

**SECTION 2.** This act is effective when it becomes law. Notwithstanding G.S. 150B-21.1A(a), an agency may adopt an emergency rule in accordance with G.S. 150B-21.1A to effectuate the provisions of this act.

In the General Assembly read three times and ratified this the 19<sup>th</sup> day of June, 2017.

s/ Philip E. Berger  
President Pro Tempore of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Roy Cooper  
Governor

Approved 6:13 p.m. this 28<sup>th</sup> day of June, 2017