



State of Tennessee
PUBLIC CHAPTER NO. 626

HOUSE BILL NO. 2355

By Representatives McCormick, Eldridge

Substituted for: Senate Bill No. 2217

By Senators Norris, Ketron

AN ACT to amend Tennessee Code Annotated, Section 4-56-105 and Title 12, Chapter 2, Part 4, relative to the disposition of state surplus property and services and the purchase of state surplus property by credit card.

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

SECTION 1. Tennessee Code Annotated, Section 4-56-105(2), is amended effective April 1, 2012, by deleting the language "disposal of any and all goods and services by the state;".

SECTION 2. Tennessee Code Annotated, Section 4-56-105(3), is amended effective April 1, 2012, by adding the word "and" at the end of subdivision (3)(C), deleting the punctuation and word "; and" at the end of subdivision (3)(D) and substituting the punctuation ".", and deleting subdivision (3)(E) in its entirety.

SECTION 3. Tennessee Code Annotated, Section 12-2-403, is amended effective April 1, 2012, by deleting the language "chief procurement officer" wherever it appears and substituting the language "commissioner of general services".

SECTION 4. Tennessee Code Annotated, Title 12, Chapter 2, Part 4, is amended effective April 1, 2012, by deleting the language "officer" wherever it appears and substituting the language "commissioner".

SECTION 5. Tennessee Code Annotated, Title 12, Chapter 2, Part 4, is amended effective April 1, 2012, by deleting the language "procurement office" wherever it appears and substituting the language "department of general services".

SECTION 6. Tennessee Code Annotated, Section 12-2-408, is amended effective April 1, 2012, by adding the following language as a new subsection (d):

() . Notwithstanding any provision of this part to the contrary, acceptable payment for property purchased under any method prescribed by this part shall include payment by credit card.

SECTION 7. Tennessee Code Annotated, Section 12-2-409, is amended effective April 1, 2012, by designating the existing language as subsection (a) and adding the following as a new subsection:

(b)

(1) Disposal of surplus personal property in the possession of the general assembly is exempt from this part; provided, that such disposals are made in a commercially reasonable manner pursuant to the policies and guidelines developed by the joint legislative services committee, created by § 3-10-101, and approved by both speakers.

(2) A member of the general assembly may purchase office furniture, equipment, or other personal property for use in the home district legislative office of such member if such furniture, equipment or property has been declared surplus and classified for disposal pursuant to the policies and guidelines developed and approved pursuant to subdivision (b)(1).

(3)

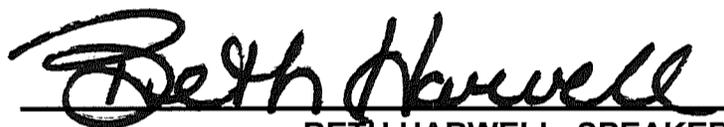
(A) Except as permitted by subdivision (b)(2), it is hereby declared unlawful for any state official or employee to purchase from the general assembly except by bid at public auction or by Internet auction, using a personal computer on personal time, any surplus property during the tenure of such person's office or employment, or for six (6) months thereafter.

(B) A purchaser who violates this subdivision commits a Class A misdemeanor.

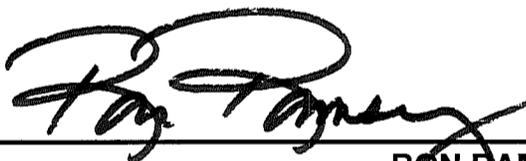
SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: MARCH 8, 2012

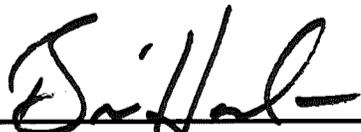


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 23rd day of March 2012



BILL HASLAM, GOVERNOR