

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 38

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H38-ABE-68 [v.1]

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Amends Title [NO]
Third Edition

Date _____, 2024

Senator Galey

1 moves to amend the bill on page 4, lines 3-4, by adding the following between the lines:

2 **"PART VIII.1 PERMIT UNC TO ENTER INTO AGREEMENTS WITH VENDORS TO**
3 **BUY BACK OR TRADE-IN TECHNOLOGICAL EQUIPMENT**

4 **SECTION 8.1.(a)** G.S. 143-64.03 reads as rewritten:

5 **"§ 143-64.03. Powers and duties of the State agency for surplus property.**

6 ...

7 (b1) Nothing in this Article, or any administrative rules promulgated under this Article,
8 shall be deemed to prohibit The University of North Carolina from ~~conveying~~ doing the
9 following:

10 (1) Conveying surplus computer equipment at no ~~cost and~~ cost. The University of
11 North Carolina is encouraged to prioritize distribution to nonprofit entities that
12 refurbish computers to donate to low-income students or households in the
13 State. Any conveyance to a nonprofit under this ~~subsection~~ subdivision shall
14 be conditioned upon, and in consideration of, the nonprofit's promise to
15 refurbish the computer equipment and its donation to low-income students or
16 households in the State and the nonprofit's reporting of information required
17 by ~~this subsection~~ subsection (b2) of this section. After an initial conveyance,
18 The University of North Carolina shall not convey additional surplus
19 computer equipment to a nonprofit, unless that nonprofit has reported the
20 information required by ~~this subsection~~ subsection (b2) of this section for prior
21 conveyances.

22 (2) Entering into agreements with one or more vendors to trade-in any
23 technological equipment purchased from the vendor or to allow a vendor to
24 buy back any technological equipment even if the equipment was not
25 purchased from that vendor.

26 (b2) When ~~making a distribution under this subsection,~~ either distributing surplus
27 computer equipment as provided in subdivision (1) of subsection (b1) of this section or entering
28 into a trade-in or buyback agreement under subdivision (2) of subsection (b1) of this section, The
29 University of North Carolina shall keep records on the type of computer equipment ~~distributed,~~
30 distributed or the technological equipment subject to the agreement, the number ~~distributed,~~ of
31 computers distributed or the type and quantity of technological equipment subject to the



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1 agreement, the name of the nonprofit that received the ~~distributions~~, distributions or the name of
2 the vendor subject to the agreement, and the nonprofit's report on donations of refurbished
3 computers to low-income students or households in the State. If the nonprofit is unable to
4 refurbish computer equipment for any reason, its report shall include the disposition of such
5 computer equipment. A nonprofit shall provide a report to the Board of Governors of The
6 University of North Carolina by February 1, 2022, and by February 1 of each year thereafter. The
7 report shall contain the information required by this subsection and any other information the
8 Board of Governors deems reasonably necessary to ensure the conditions required under this
9 subsection are satisfied. The Board of Governors of The University of North Carolina shall
10 submit a report containing the information required to be collected under this subsection to the
11 Joint Legislative Education Oversight Committee by December 1, 2022, and by ~~December~~ March
12 1 of each year thereafter.

13"

14 **SECTION 8.1.(b)** This section is effective when it becomes law."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**