

"SURPLUS PERSONAL PROPERTY" MEANS AN ITEM OF EXCESS PERSONAL PROPERTY THAT THE DEPARTMENT DECLARES IS NOT NEEDED BY ANY UNIT OF THE STATE GOVERNMENT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 41, § 232(c).

The words "is not needed by" are substituted for the former words "to be in excess of requirements of", for brevity and to avoid confusion between "excess personal property" and "surplus personal property".

The phrase "any unit of the State government" is substituted for the former phrase "all State agencies", for clarity and to conform to similar provisions elsewhere in the Code.

Defined terms: "Department" § 4-101
"Excess personal property" § 4-501

4-502. DECLARATION OF EXCESS PERSONAL PROPERTY AND SURPLUS PERSONAL PROPERTY.

(A) EXCESS PERSONAL PROPERTY.

(1) THE HEAD OF A UNIT OF THE STATE GOVERNMENT MAY DECLARE AN ITEM OF PERSONAL PROPERTY IN THE POSSESSION OF THE UNIT TO BE EXCESS PERSONAL PROPERTY BY SUBMITTING A DECLARATION OF EXCESS PERSONAL PROPERTY TO THE DEPARTMENT.

(2) THE DECLARATION IS EFFECTIVE ON APPROVAL BY THE DEPARTMENT.

(B) SURPLUS PERSONAL PROPERTY.

THE DEPARTMENT MAY DECLARE EXCESS PERSONAL PROPERTY TO BE SURPLUS PERSONAL PROPERTY IF THE DEPARTMENT DETERMINES THAT THE EXCESS PERSONAL PROPERTY CANNOT BE USED BY ANY UNIT OF THE STATE GOVERNMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 233.

In subsection (a)(1) of this section, the phrase "head of a unit of the State government" is substituted for the former phrase "agency head", for clarity and to conform to similar provisions elsewhere in this title.

In subsection (b) of this section, the defined term "excess personal property" is substituted for the former words "excess item", in light of apparent legislative intent.