



## Ohio Administrative Code

### Rule 123:5-2-01 Disposal of excess and surplus supplies.

Effective: August 1, 2021

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#### (A) Definitions.

As used in this chapter of the Administrative Code:

(1) "Control" means responsibility of determining the most cost effective and efficient manner in which to dispose of excess or surplus property. "Control" does not mean physical location or possession of excess or surplus property.

(2) "Excess" means property with remaining useful life.

(3) "Funds" means a state loan, grant, or other type of state financial assistance.

(4) "Property" means state-owned supplies, equipment, and vehicles. "Property" does not include real estate or any federally-owned assets.

(5) "Surplus" means property with no remaining useful life.

(B) Upon receiving notice of a state agency's excess or surplus property, the director of administrative services will at no cost to the state agency take control of each excess or surplus item that is valued at one hundred dollars or more and make arrangements for their disposition.

(1) A state agency may dispose of its own excess or surplus property that is valued at one hundred dollars or more, if the agency will be trading-in the supply for new supplies or equipment and the trade-in value is estimated to exceed the value of the property if sold at public auction or if the disposal is through an interagency transfer.

(2) The director of administrative services may take control of excess or surplus property that is estimated to have value of less than one hundred dollars, if the agency that owns the property is not



able to dispose of it in a cost effective or efficient manner and the agency requests the department of administrative services to dispose of the property.

(C) When a state agency, other than the department of administrative services, disposes of its excess or surplus property, it must dispose of the property in the most cost effective and efficient manner and in accordance with policies and procedures established by the director of administrative services. State agencies must consider the following methods of disposal:

- (1) Selling, leasing, donating, or transferring of excess or surplus property to another state agency;
- (2) Selling, leasing, donating, or transferring of excess or surplus property to state-supported or state-assisted institutions of higher education, tax-supported agencies, municipal corporations, public schools or other political subdivisions of this state, private fire companies, private, nonprofit emergency medical service organizations, or nonpublic elementary and secondary schools chartered by the state board of education;
- (3) Trading-in excess or surplus property towards new supplies or equipment;
- (4) Selling excess or surplus property to the general public by a fair and impartial process, such as advertisement by newspaper or internet;
- (5) Recycling excess or surplus property;
- (6) Selling or donating to a nonprofit organization that is both exempt from federal income taxation under 26 U.S.C. 501 (a) and (c)(3) and that receives funds from the state or has a contract with the state;
- (7) Disposing of surplus property as refuse.

(D) After complying with paragraph (A) of this rule, the department of administrative services and the state agency that disposes of its own excess or surplus property shall maintain a record of the disposition of the excess or surplus property in accordance with a proper record retention schedule.



(E) The director of administrative services shall make available in the most cost effective and efficient manner excess and surplus property that might be of use to other state agencies.