

**ASSEMBLY BILL**

**No. 1342**

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**Introduced by Assembly Member Mendoza**

February 23, 2007

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An act to amend Section 60510 of, and to repeal Section 60511 of the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1342, as introduced, Mendoza. Surplus or undistributed obsolete instructional materials.

Existing law authorizes the State Board of Education and school districts to dispose of surplus or undistributed obsolete instructional materials that is usable for educational purposes, to specified entities, including by sale to any organization that agrees to use the materials solely for education purposes.

This bill would delete the provision requiring the organization to agree to use the materials for educational purposes. The bill would also delete a provision requiring the organization to certify that it agrees to use the materials for educational purposes and make no charge to the persons to whom the organization gives or lends the materials.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 60510 of the Education Code is amended
- 2 to read:
- 3 60510. ~~The state board~~ *State Board*, the governing board of
- 4 ~~any~~ *a* school district that employs a superintendent of schools, and

1 other school districts with the approval of the county superintendent  
2 of schools, may dispose of surplus or undistributed obsolete  
3 instructional materials in their possession that are usable for  
4 educational purposes in any of the following ways:

5 (a) By donation to ~~any~~ a governing board, county free library,  
6 or other state institution.

7 (b) By donation to ~~any~~ a public agency or institution of any  
8 territory or possession of the United States, or the government of  
9 ~~any~~ a country that formerly was a territory or possession of the  
10 United States.

11 (c) By donation to ~~any~~ a nonprofit charitable organization.

12 (d) By donation to children or adults in the State of California,  
13 or foreign countries for the purpose of increasing the general  
14 literacy of the people.

15 (e) By sale to ~~any organization that agrees to use the materials~~  
16 ~~solely for educational purposes.~~

17 SEC. 2. Section 60511 of the Education Code is repealed.

18 ~~60511. Any organization, agency or institution receiving~~  
19 ~~obsolete instructional materials under the provisions of this article~~  
20 ~~must certify to the governing board that it agrees to use the~~  
21 ~~materials for educational purposes and agrees to make no charge~~  
22 ~~of any kind to the persons to whom the organization gives or lends~~  
23 ~~such materials.~~