

## Assembly Bill No. 487

### CHAPTER 321

An act to amend Sections 60510 and 60511 of, and to add Section 60510.1 to, the Education Code, relating to instructional materials.

[Approved by Governor October 11, 2009. Filed with  
Secretary of State October 11, 2009.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 487, Brownley. Instructional materials: sale of 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 are usable for educational purposes, to specified entities, including by sale to any organization that agrees to use the materials solely for educational purposes and to make no charge of any kind to the persons to whom the organization gives or lends the materials.

This bill would also authorize county offices of education to dispose of surplus or undistributed obsolete instructional materials under these provisions. The bill would delete the provision requiring the organization to agree to use the materials for educational purposes. The bill would require that all of the proceeds of any sale of surplus or undistributed obsolete instructional materials made under these provisions be available for school districts and county offices of education to acquire basic instructional materials, supplemental instructional materials, or technology-based materials. 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.

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

SECTION 1. Section 60510 of the Education Code is amended to read:

60510. The state board, the governing board of a school district, or a county office of education may dispose of surplus or undistributed obsolete instructional materials in its possession that are usable for educational purposes in any of the following ways:

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

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

- (c) By donation to a nonprofit charitable organization.
- (d) By donation to children or adults in the State of California, or foreign countries for the purpose of increasing the general literacy of the people.
- (e) By sale.

SEC. 2. Section 60510.1 is added to the Education Code, to read:

60510.1. All of the proceeds of any sale of surplus or undistributed obsolete instructional materials made pursuant to subdivision (e) of Section 60510 shall be available for school districts and county offices of education to acquire basic instructional materials, supplemental instructional materials, or technology-based materials.

SEC. 3. Section 60511 of the Education Code is amended to read:

60511. Any organization, agency, or institution receiving obsolete instructional materials donated pursuant to this article shall certify to the governing board of the school district or the county board of education, as appropriate, that it agrees to make no charge of any kind to the persons to whom the organization gives or lends those materials.