

1 HB83  
2 146714-2  
3 By Representative DeMarco  
4 RFD: State Government  
5 First Read: 05-FEB-13  
6 PFD: 01/24/2013

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8 SYNOPSIS: Under existing law, the State Auditor's  
9 Office, operating through the Property Inventory  
10 Control Division of the office, oversees the  
11 inventory of sensitive personal property and  
12 property valued at \$500 or more owned by the state  
13 and used or acquired by the state departments or  
14 agencies.

15 This bill would require the Property  
16 Inventory Control Division to develop and maintain  
17 a searchable inventory database of all state  
18 personal property for each department or agency.

19  
20 A BILL  
21 TO BE ENTITLED  
22 AN ACT  
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24 To amend Section 36-16-8 of the Code of Alabama  
25 1975, relating to the State Auditor's Office, Property  
26 Inventory Control Division; to require the Property Inventory  
27 Control Division to develop and maintain a searchable

1 inventory database of all state personal property for each  
2 department or agency.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 36-16-8 of the Code of Alabama  
5 1975, is amended to read as follows:

6 "§36-16-8.

7 "(a) The Property Inventory Control Division shall  
8 establish a control in the following manner of all  
9 nonconsumable state personal property not exempt under Section  
10 36-16-11.

11 "(1) The head of each department or agency of the  
12 state shall designate one of its employees as property manager  
13 for the department or agency. Except for books, the property  
14 manager shall make a full and complete inventory of all  
15 nonconsumable personal property and certain other items of  
16 personal property deemed important or sensitive enough by the  
17 Property Inventory Control Division to be included in the  
18 inventory of state property of the value of five hundred  
19 dollars (\$500) or more owned by the state and used or acquired  
20 by the department or agency. The term "sensitive property"  
21 includes, but is not limited to, weapons and electronic  
22 storage devices such as, but not limited to, computers, laptop  
23 and tablet computers, external hard drives, notebooks,  
24 netbooks, and servers. The inventory shall show the complete  
25 description, manufacturer's serial number, cost or price, date  
26 of purchase, location, and custodial agency, responsible  
27 officer, or employee, and the state property control marking.

1       ~~A~~ For agencies without system access, a copy of the inventory  
2 shall be submitted to the Property Inventory Control Division  
3 on October 1 and April 1 of each year. Each inventory shall  
4 show all property acquired since the date of the last  
5 inventory. When any inventory fails to show any property shown  
6 on the previous inventory, then a complete explanation  
7 accounting for the property or the disposition thereof shall  
8 be attached to the inventory and submitted to the Property  
9 Inventory Control Division. All property managers shall keep  
10 at all times in their files a copy of all inventories  
11 submitted to the Property Inventory Control Division, and the  
12 copies shall be subject to examination by any and all state  
13 auditors or employees of the Department of Examiners of Public  
14 Accounts.

15               "(2) Each property manager shall be the custodian  
16 of, and responsible for, all property in his or her department  
17 or agency. When any property is entrusted to other employees  
18 or officers of the department or agency, the property manager  
19 shall require a written receipt of the property so entrusted,  
20 which receipt shall be executed by the person receiving the  
21 property. In that event, the property manager shall be  
22 relieved of responsibility of the property, and the employee  
23 or officer of the department or agency shall be responsible  
24 for the property.

25               "(3) No property, except property being transferred  
26 to the Department of Archives and History under Section  
27 41-6-10, shall be disposed of, transferred, assigned, or

1 entrusted to any other department, agency, or employee thereof  
2 without the written permission of the Director of the Alabama  
3 Department of Economic and Community Affairs or the Governor  
4 of the State of Alabama or the designee of either of them.

5 "(4) ~~Biannually~~ Biennially, the Property Inventory  
6 Control Division shall conduct an inventory of all such state  
7 personal property excluding historical materials in the  
8 custody of the Department of Archives and History, holding  
9 every officer or employee strictly accountable for all  
10 personal property assigned to his or her custody.

11 "(5) No later than November 30 of each new fiscal  
12 year, the State Auditor shall report in writing to the  
13 Governor all losses and missing items of state property valued  
14 at more than five hundred dollars (\$500) as revealed by the  
15 most recent inventory of state personal property.

16 "(6) Whenever any property manager ceases for any  
17 reason to be the property manager of his or her department or  
18 agency, the director of the department or agency shall  
19 immediately notify in writing the Property Inventory Control  
20 Division. The division shall immediately check the inventories  
21 of all property in the department or agency, and the successor  
22 to the property manager shall execute a written receipt for  
23 all property received by him or her or coming into his or her  
24 custody or control. The last payment of salary due the  
25 property manager shall be withheld until a complete check of  
26 the inventory of the property has been made and approved. In  
27 the event of any shortages, the property manager shall be held

1 strictly accountable. Notwithstanding the foregoing, the  
2 property manager shall not be held accountable for property  
3 entrusted to any other employee or officer of the department  
4 or agency and for which he or she holds the written receipt of  
5 the employee or officer.

6 "(b) The Property Inventory Control Division shall  
7 develop and maintain a searchable inventory database of all  
8 state personal property within its inventory for each  
9 department or agency.

10 "(c) The inventory database shall be searchable on  
11 the following criteria:

12 "(1) The name of the department or agency where the  
13 property is located.

14 "(2) The county where the property is located.

15 "(3) A description of the property.

16 "(4) The date the property was placed in inventory.

17 "(d) The database shall be updated once a month.

18 "(e) The database shall be available on the official  
19 State of Alabama website as a link to the website of the State  
20 Auditor's Office website where the database shall be  
21 maintained.

22 "(f) Each department or agency shall be responsible  
23 for updating property records in the Statewide Property  
24 Management System to ensure that the searchable database is  
25 accurate and current."

1                   Section 2. This act shall become effective on  
2           January 1, 2014, following its passage and approval by the  
3           Governor, or its otherwise becoming law.