*** § 104-c. Disposal of surplus computer equipment.** 1. Definitions. As used in this section:

(a) "Computer" means a computer central processing unit and, where attached to a computer central processing unit, such computer cases, computer memory, card and other peripheral devices as may reasonably be viewed functionally as one unit.

(b) "Computer equipment" means computers, computer memory, cards and associated peripheral devices including, but not limited to, floppy disk drives, hard disk drives, printers, modems, computer-related cables and networking devices, scanners, computer monitors, and computer software.

(c) "Computer software" means executable computer programs and related data files on computer-related media including, but not limited to, floppy disks, hard disks, optical and magneto-optical computer data storage devices.

2. The governing board of a political subdivision may by resolution, adopt policies authorizing the disposal of computers, computer software and computer equipment no longer needed for the purposes of the political subdivision through donation to public schools, public libraries, and other public and private institutions for secular educational use, and to not-for-profit institutions for use by individuals with disabilities, senior citizens, or low income individuals, upon proof of need by such institution and subordinate to the requirements of the public schools and libraries of the state. Such donation shall be based on a public notification process and competitive proposals from schools, libraries, and other public and private educational programs for secular education use, and not-for-profit institutions serving persons with disabilities, senior citizens, or low income individuals, which shall demonstrate need and specific plans for the use of such equipment.

3. Every resolution enacted pursuant to this section shall provide that no computer software of a political subdivision shall be transferred if such transfer would cause a breach of a computer software license agreement or an infringement of a copyright.

* NB Repealed July 1, 2028