§ 19.29 Deaccessioning. Notwithstanding any other provision of law, the commissioner may donate a work of art or an historic or other object of personal property under the jurisdiction of the office to a public corporation. The commissioner may also dispose of such property directly pursuant to a process set forth in regulation which is consistent with subdivision three of section one hundred sixty-seven of the state finance law or may transfer such property with or without conditions to the office of general services, and the office of general services shall be authorized to accept such work of art or such object and dispose of such property in accordance with the provisions of section one hundred sixty-seven of the state finance law, or at a private sale. Such work of art or object shall only be donated, transferred or sold pursuant to this section provided that:

1. The commissioner determines such work of art or object to be surplus to the needs of the office or the public.

2. The work of art or object to be disposed of is first documented, recorded and offered to the New York state museum for use in its collections, and if not accepted within thirty days of such offer, it shall be offered for transfer to state agencies having a legislative mandate to acquire, exhibit, preserve and interpret works of art and historic objects. Proceeds derived from the deaccessioning of any property from the collections of the office shall be deposited into the state park infrastructure fund established pursuant to section ninety-seven-mm of the state finance law and shall be used only for the acquisition of collections and/or for the preservation, protection and care of the collections, including capital projects relating thereto.