

25-13 ARTICLE 6. TRANSFER OF DATA PROCESSING EQUIPMENT TO STUDENTS
25-14 SECTION 6.01. Chapter 32, Education Code, is amended by
25-15 adding Subchapter C to read as follows:
25-16 SUBCHAPTER C. TRANSFER OF DATA PROCESSING EQUIPMENT TO STUDENTS
25-17 Sec. 32.101. DEFINITION. In this subchapter, "data
25-18 processing" has the meaning assigned by Section 2054.003,
25-19 Government Code.
25-20 Sec. 32.102. AUTHORITY. (a) As provided by this
25-21 subchapter, a school district or open-enrollment charter school may
25-22 transfer to a student enrolled in the district or school:
25-23 (1) any data processing equipment donated to the
25-24 district or school, including equipment donated by:
25-25 (A) a private donor; or
25-26 (B) a state eleemosynary institution or a state
26-1 agency under Section 2175.126, Government Code;
26-2 (2) any equipment purchased by the district or school,
26-3 to the extent consistent with Section 32.105; and
26-4 (3) any surplus or salvage equipment owned by the
26-5 district or school.
26-6 (b) A school district or open-enrollment charter school may
26-7 accept:
26-8 (1) donations of data processing equipment for
26-9 transfer under this subchapter; and
26-10 (2) any gifts, grants, or donations of money or
26-11 services to purchase, refurbish, or repair data processing
26-12 equipment under this subchapter.
26-13 Sec. 32.103. ELIGIBILITY; PREFERENCE. (a) A student is
26-14 eligible to receive data processing equipment under this subchapter
26-15 only if the student does not otherwise have home access to data
26-16 processing equipment, as determined by the student's school
26-17 district or open-enrollment charter school.
26-18 (b) In transferring data processing equipment to students, a
26-19 school district or open-enrollment charter school shall give
26-20 preference to educationally disadvantaged students.
26-21 Sec. 32.104. REQUIREMENTS FOR TRANSFER. Before transferring
26-22 data processing equipment to a student, a school district or
26-23 open-enrollment charter school must:
26-24 (1) adopt rules governing transfers under this
26-25 subchapter, including provisions for technical assistance to the
26-26 student by the district or school;
27-1 (2) determine that the transfer serves a public
27-2 purpose and benefits the district or school; and
27-3 (3) remove from the equipment any offensive,
27-4 confidential, or proprietary information, as determined by the
27-5 district or school.
27-6 Sec. 32.105. EXPENDITURE OF PUBLIC FUNDS. A school district
27-7 or open-enrollment charter school may spend public funds to:
27-8 (1) purchase, refurbish, or repair any data processing
27-9 equipment transferred to a student under this subchapter; and
27-10 (2) store, transport, or transfer data processing
27-11 equipment under this subchapter.
27-12 Sec. 32.106. RETURN OF EQUIPMENT. (a) Except as provided
27-13 by Subsection (b), a student who receives data processing equipment
27-14 from a school district or open-enrollment charter school under this
27-15 subchapter shall return the equipment to the district or school not
27-16 later than the earliest of:

27-17 (1) five years after the date the student receives the
27-18 equipment;

27-19 (2) the date the student graduates;

27-20 (3) the date the student transfers to another school
27-21 district or open-enrollment charter school; or

27-22 (4) the date the student withdraws from school.

27-23 (b) Subsection (a) does not apply if, at the time the
27-24 student is required to return the data processing equipment under
27-25 that subsection, the district or school determines that the
27-26 equipment has no marketable value.

28-1 SECTION 6.02. Section 2175.126, Government Code, is amended
28-2 to read as follows:

28-3 Sec. 2175.126. DISPOSITION OF DATA PROCESSING EQUIPMENT.

28-4 (a) If a disposition of a state agency's surplus or salvage data
28-5 processing equipment is not made under this subchapter, the state
28-6 agency shall transfer the equipment to a school district or
28-7 open-enrollment charter school in this state under Subchapter C,
28-8 Chapter 32, Education Code, or to the Texas Department of Criminal
28-9 Justice. The state agency may not collect a fee or other
28-10 reimbursement from the district, the school, or the Texas
28-11 Department of Criminal Justice for the surplus or salvage data
28-12 processing equipment.

28-13 (b) If a disposition of the surplus or salvage data
28-14 processing equipment of a state eleemosynary institution or an
28-15 institution or agency of higher education is not made under other
28-16 law, the institution or agency shall transfer the equipment to a
28-17 school district or open-enrollment charter school in this state
28-18 under Subchapter C, Chapter 32, Education Code, or to the Texas
28-19 Department of Criminal Justice. The institution or agency may not
28-20 collect a fee or other reimbursement from the district, the school,
28-21 or the Texas Department of Criminal Justice for the surplus or
28-22 salvage data processing equipment.