



OFFICE OF LEGAL AFFAIRS
EXTERNAL OPINION

External Opinion # EX-2000-1023

To: Kenya Kay Rachal
Staff Attorney
Central Mississippi Legal Services
414 South State Street, Third Floor
Jackson, MS 39201-5021

Date: December 22, 2000

Subject: **Disposal of Property with No Current Monetary Value**

You requested an opinion from this office regarding the requirements relating to the disposition of property under the current LSC Property Manual. Specifically, you note that your office is looking to dispose of a number of books in CMLS' library in connection with a relocation of CMLS' offices. You have indicated that you have attempted to both sell the books and to give them to another nonprofit organization, but have been unable to locate a willing taker. Thus, you inquire what you are required or permitted to do with the books under the terms of the Property Manual.

Paragraph 2(e) of the Property Manual specifies that "unserviceable [nonexpendable personal] property with no monetary value may be destroyed." Since the books (which are nonexpendable personal property) are of no use to you and since you have been unable to find anyone who is will to take them, whether through sale or donation, the books would appear to easily fall under the rubric of "unserviceable property with no monetary value." Thus, CMLS would be at liberty to dispose of the books in any manner its deems necessary. You should be aware that, in accordance with the requirements of the Property Manual, once CMLS has disposed of the books, the property record card should be annotated to contain the date and reason for the disposal and placed in the property inventory record disposal file.

We hope you find this information helpful. If you have any questions, please do not hesitate to contact us.

Very truly yours,

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