

House File 2543

H-8177

1 Amend House File 2543 as follows:

2 1. By striking page 1, line 21, through page 2, line 7.

3 2. Page 2, by striking lines 13 through 15 and inserting <or
4 vacant property owned by a school district pursuant to section
5 297.24.>

6 3. Page 2, line 32, after <for> by inserting <nonpublic
7 schools and>

8 4. Page 3, line 6, after <allow> by inserting <nonpublic
9 schools and>

10 5. Page 3, lines 15 and 16, by striking <a charter school>
11 and inserting <an educational institution>

12 6. Page 3, line 31, by striking <schools — right of first
13 refusal for charter schools> and inserting <schools>

14 7. Page 3, after line 32 by inserting:

15 <a. "Educational institution" means all of the following:

16 (1) A school district.

17 (2) A nonpublic school.

18 (3) A charter school established pursuant to chapter 256E.

19 (4) A charter school or innovation zone school established
20 pursuant to chapter 256F.

21 (5) An institution of higher education under the control of
22 the state board of regents.

23 (6) A community college established under chapter 260C.

24 (7) The state training school established under chapter
25 233A.

26 (8) An accredited private institution as defined in section
27 256.183.>

28 8. Page 3, line 33, by striking <a.> and inserting <b.>

29 9. Page 4, line 5, by striking <b.> and inserting <c.>

30 10. Page 4, by striking lines 11 through 22 and inserting
31 <property to an educational institution.>

32 11. By striking page 4, line 23, through page 5, line 6, and
33 inserting:

34 <3. a. The board of directors of a school district shall
35 not sell or lease underutilized property or vacant property

1 unless the board of directors of the school district first
2 provides notice to each educational institution that is located
3 within the school district that describes the underutilized
4 property or vacant property and offers to sell or lease the
5 underutilized property or vacant property to the educational
6 institution at a price that is to be determined pursuant to
7 paragraph "b".

8 *b.* (1) If an educational institution desires to purchase
9 or lease underutilized property or vacant property described
10 in a notice provided under paragraph "a", the educational
11 institution shall provide notice to the school district
12 within a reasonable time after receipt of the notice provided
13 under paragraph "a" indicating the educational institution's
14 preliminary intent to purchase or lease such property, pending
15 the determination of the purchase or lease price of the
16 property under subparagraph (2).

17 (2) The purchase or lease price of the underutilized
18 property or vacant property shall be an amount equal to the
19 average of the fair market purchase or lease value of the
20 underutilized property or vacant property as determined by two
21 independent appraisals prepared by certified appraisers. The
22 board of directors of the school district shall select, and
23 pay the costs associated with, one certified appraiser, and
24 the educational institution electing to purchase or lease the
25 underutilized property or vacant property shall select, and pay
26 the costs associated with, the other certified appraiser.

27 (3) If, within a reasonable time after the determination
28 of the purchase or lease price of the underutilized property
29 or vacant property under subparagraph (2), an educational
30 institution elects to purchase or lease the underutilized
31 property or vacant property, the educational institution shall
32 provide notice to the board of directors of the school district
33 indicating the educational institution's election to purchase
34 or lease such property, and the board of directors of the
35 school district and the educational institution shall proceed

1 to negotiate the additional terms of, and effectuate, the sale
2 or lease.

3 4. Subsection 3 shall be construed as independent of
4 the power vested in the electors by section 278.1, and as
5 additional to such power. If a board of directors of a school
6 district has exercised its independent power under subsection 3
7 regarding selling or leasing underutilized property or vacant
8 property to an educational institution that is located within
9 the school district, and has by resolution approved such
10 action, the electors shall not subsequently proceed to exercise
11 their power under section 278.1 for a purpose directly contrary
12 to the action previously approved by the board of directors in
13 accordance with subsection 3.

14 5. The state board of education shall adopt rules pursuant
15 to chapter 17A to administer this section. The rules shall
16 include provisions that determine which educational institution
17 shall be allowed to purchase or lease underutilized property
18 or vacant property when more than one educational institution
19 provides notice to the board of directors of a school district
20 pursuant to subsection 3, paragraph "b", subparagraph (3),
21 indicating the educational institution's election to purchase
22 or lease the same underutilized property or vacant property.>

23 12. Title page, by striking lines 1 through 5 and inserting
24 <An Act relating to education, including by establishing
25 requirements related to the sale or lease of underutilized
26 property or vacant property by school districts and modifying
27 charter school funding and charter school board member
28 requirements.>

29 13. By renumbering as necessary.

GEHLBACH of Dallas