

Reprinted 3/17/86

# REPRINTED

MAR 6 1986

HOUSE FILE 2407

Place On Calendar

BY COMMITTEE ON EDUCATION

(Formerly House Study Bill 697)

Passed House, Date 3-14-86 (p. 759) Passed Senate, Date \_\_\_\_\_  
 Vote: Ayes 82 Nays 5 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the sale, lease, or disposal of property of a  
 2 school corporation.  
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2407

H-5279

1 Amend House File 2407 as follows:  
 2 1. Page 1, by striking lines 7 and 8 and  
 3 inserting the following: "dollars. If However, if  
 4 the appraised value exceeds twenty-five thousand  
 5 dollars, the board shall submit-the-question-at-an  
 6 election".  
 7 2. Page 1, line 10, by inserting after the word  
 8 "disposal" the following: "hold a public hearing  
 9 before the board takes final action on the property".

H-5279 FILED MARCH 10, 1986 BY CARTER of Henry  
*Adopted 3/14 (p. 753)*

HF 2407

- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. Section 297.22, unnumbered paragraph 1, Code  
2 Supplement 1985, is amended to read as follows:

5279 3 The board of directors of a school district may sell,  
4 lease, or dispose of, in whole or in part, a schoolhouse,  
5 site, or other property belonging to the district ~~for which~~  
6 ~~the appraised value does not exceed twenty-five thousand~~  
7 ~~dollars. If the appraised value exceeds twenty-five thousand~~  
8 ~~dollars, the board shall submit the question at an election~~  
9 ~~under section 278.17, subsection 2, to authorize the sale,~~  
10 ~~lease or disposal.~~

11 Sec. 2. Section 297.22, unnumbered paragraph 4, Code  
12 Supplement 1985, is amended to read as follows:

13 The board of directors of a school corporation may sell,  
14 lease, exchange, give, or grant, and accept any interest in  
15 real property to, with, or from any a county, municipal  
16 corporation, school district, or township if the real property  
17 is within the jurisdiction of both the grantor and grantee.  
18 ~~The provisions of~~ In this case sections 297.15 to 297.20,  
19 sections 297.23 and 297.24, ~~and the property value limitation~~  
20 and appraisal requirements of this section do not apply to the  
21 transaction.

22 Sec. 3. Section 297.22, unnumbered paragraphs 6 and 7,  
23 Code Supplement 1985, are amended to read as follows:

24 ~~The property value limitation listed in this section does~~  
25 ~~not apply to the sale, lease, or disposition of real estate~~  
26 ~~upon which a structure has been erected by students as part of~~  
27 ~~a regular course of study.~~

28 The board of directors of a school corporation may lease a  
29 portion of an existing school building in which the remaining  
30 portion of the building will be used for school purposes for a  
31 period of not to exceed five years. The lease may be renewed  
32 at the option of the board. Sections 297.15 to 297.20,  
33 sections 297.23 and 297.24, and the ~~property value limitations~~  
34 and appraisal requirements of this section do not apply to the  
35 lease of a portion of an existing school building.

EXPLANATION

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

This bill permits the board of directors of a school corporation to sell, lease, or dispose of property of any appraised value without approval by the electorate.

Sen. Ed 3/19 Sr. Bill 3/25 (p. 878)

HOUSE FILE 2407  
BY COMMITTEE ON EDUCATION

(As Amended and Passed by the House March 14, 1986)

Passed House, Date 4-16-86 (p. 1521) Passed Senate, Date 4-2-86 (p. 983)  
Vote: Ayes 91 Nays 2 Vote: Ayes 47 Nays 6  
Approved \_\_\_\_\_

*Motion to reconsider (p. 995) provided 4/9  
Repassed Senate 4-9-86 (p. 1154)  
45-0  
Motion to reconsider (p. 1158) w/d 4/11 (1186)  
Repassed Senate 4-21-86 (p. 1300)  
38-0*

A BILL FOR

1 An Act relating to the sale, lease, or disposal of property of a  
2 school corporation.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

House Amendments \_\_\_\_\_

5425 1 Section 1. Section 297.22, unnumbered paragraph 1, Code  
2 Supplement 1985, is amended to read as follows:

3 The board of directors of a school district may sell,  
4 lease, or dispose of, in whole or in part, a schoolhouse,  
5 site, or other property belonging to the district ~~for which~~  
6 ~~the appraised value does not exceed twenty-five thousand~~  
7 ~~dollars. If However, if~~ the appraised value exceeds twenty-  
8 ~~five thousand dollars, the board shall submit the question at~~  
9 ~~an election under section 278.17 subsection 27 to authorize~~  
10 ~~the sale, lease or disposal~~ hold a public hearing before the  
11 board takes final action on the property.

12 Sec. 2. Section 297.22, unnumbered paragraph 4, Code  
13 Supplement 1985, is amended to read as follows:

14 The board of directors of a school corporation may sell,  
15 lease, exchange, give, or grant, and accept any interest in  
16 real property to, with, or from any a county, municipal  
17 corporation, school district, or township if the real property  
18 is within the jurisdiction of both the grantor and grantee.  
19 ~~The provisions of~~ In this case sections 297.15 to 297.20,  
20 sections 297.23 and 297.24, ~~and the property value limitation~~  
21 and appraisal requirements of this section do not apply to the  
22 transaction.

23 Sec. 3. Section 297.22, unnumbered paragraphs 6 and 7,  
24 Code Supplement 1985, are amended to read as follows:

25 ~~The property value limitation listed in this section does~~  
26 ~~not apply to the sale, lease, or disposition of real estate~~  
27 ~~upon which a structure has been erected by students as part of~~  
28 ~~a regular course of study.~~

29 The board of directors of a school corporation may lease a  
30 portion of an existing school building in which the remaining  
31 portion of the building will be used for school purposes for a  
32 period of not to exceed five years. The lease may be renewed  
33 at the option of the board. Sections 297.15 to 297.20,  
34 sections 297.23 and 297.24, and the ~~property value limitations~~  
35 and appraisal requirements of this section do not apply to the

1 lease of a portion of an existing school building.

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

SENATE AMENDMENT TO HOUSE FILE 2407

H-5813

1 Amend House File 2407 as amended, passed, and  
2 reprinted by the House as follows:

5834 3 1. Page 2, line 1, by inserting after the word  
4 "building." the following: "A school corporation  
5 shall pay out of the revenue from such lease, when the  
6 lease is to a private entity except a nonprofit  
7 corporation, to the state of Iowa and to the city,  
8 school district and any other political subdivision,  
9 authorized to levy taxes, a sum equal to the amount of  
10 tax, determined by applying the tax rate of the taxing  
11 district to the assessed value of the portion of the  
12 building leased, which the state, county, city, school  
13 district, or other political subdivision would receive  
14 if the portion of the building leased were owned by a  
15 private person or corporation."

H-5813 FILED APRIL 11, 1986 RECEIVED FROM THE SENATE

*House amended (5834) & concurred 4/16 (j. 15 21)*

HOUSE FILE 2407

H-5834

1 Amend amendment H-5813 to House File 2407 as  
2 amended, passed and reprinted by the House, as  
3 follows:

4 1. Page 1, by striking lines 5 through 15 and  
5 inserting the following: "shall pay out of the  
6 revenue from a lease to the state of Iowa, and to the  
7 city, school district and any other political  
8 subdivision authorized to levy taxes, an amount as  
9 determined by this section. The amount shall be  
10 determined by applying the annual tax rate of the  
11 taxing district to the assessed value of the portion  
12 of the building leased, prorated for the term of the  
13 lease during the appropriate taxing period. The  
14 provisions of this section relating to the payment of  
15 property tax because of leases shall only apply to  
16 leases to private, for-profit, entities which lease a  
17 portion of a school building for a period of thirty or  
18 more consecutive days."

H-5834 FILED APRIL 16, 1986 BY CARTER of Henry

ADOPTED (j. 15 21)

HOUSE FILE 2407

5625

1 Amend House File 2407 as amended, passed, and  
2 reprinted by the House as follows:  
3 1. Page 2, line 1, by inserting after the word  
4 "building." the following: "A school corporation  
5 shall pay out of the revenue from such lease, when the  
6 lease is to a private entity except a nonprofit  
7 corporation, to the state of Iowa and to the city,  
8 school district and any other political subdivision,  
9 authorized to levy taxes, a sum equal to the amount of  
10 tax, determined by applying the tax rate of the taxing  
11 district to the assessed value of the portion of the  
12 building leased, which the state, county, city, school  
13 district, or other political subdivision would receive  
14 if the portion of the building leased were owned by a  
15 private person or corporation."

S-5625 Filed April 7, 1986 BY PRIEBE

*Adopted 4/7 (p. 1154) Motion to reconsider (p. 1158)*

HOUSE AMENDMENT TO  
SENATE AMENDMENT TO  
HOUSE FILE 2407

S-5709

1 Amend amendment H-5813 to House File 2407 as  
2 amended, passed and reprinted by the House, as  
3 follows:  
4 1. Page 1, by striking lines 5 through 15 and  
5 inserting the following: "shall pay out of the  
6 revenue from a lease to the state of Iowa, and to the  
7 city, school district and any other political  
8 subdivision authorized to levy taxes, an amount as  
9 determined by this section. The amount shall be  
10 determined by applying the annual tax rate of the  
11 taxing district to the assessed value of the portion  
12 of the building leased, prorated for the term of the  
13 lease during the appropriate taxing period. The  
14 provisions of this section relating to the payment of  
15 property tax because of leases shall only apply to  
16 leases to private, for-profit, entities which lease a  
17 portion of a school building for a period of thirty or  
18 more consecutive days."

S-5709 Filed April 18, 1986

REC'D FROM THE HOUSE

*Senate concurred 4/21 (p. 1300)*

1258 697

Study Bill 697

EDUCATION

Education: Carter, Chair; Swearingen and Varn.

*non*  
NF 2407

HOUSE FILE 2407  
BY (PROPOSED COMMITTEE ON  
EDUCATION BILL)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the sale, lease, or disposal of property of a  
2 school corporation.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

1 Section 1. Section 297.22, unnumbered paragraph 1, Code  
2 Supplement 1985, is amended to read as follows:

3 The board of directors of a school district may sell,  
4 lease, or dispose of, in whole or in part, a schoolhouse,  
5 site, or other property belonging to the district for which  
6 ~~the appraised value does not exceed twenty-five thousand~~  
7 ~~dollars. If the appraised value exceeds twenty-five thousand~~  
8 ~~dollars, the board shall submit the question at an election~~  
9 ~~under section 278.17 subsection 27 to authorize the sale,~~  
10 ~~lease or disposal.~~

11 Sec. 2. Section 297.22, unnumbered paragraph 4, Code  
12 Supplement 1985, is amended to read as follows:

13 The board of directors of a school corporation may sell,  
14 lease, exchange, give, or grant, and accept any interest in  
15 real property to, with, or from any a county, municipal  
16 corporation, school district, or township if the real property  
17 is within the jurisdiction of both the grantor and grantee.  
18 ~~The provisions of In this case sections 297.15 to 297.20,~~  
19 ~~sections 297.23 and 297.24, and the property value limitation~~  
20 ~~and appraisal requirements of this section do not apply to the~~  
21 ~~transaction.~~

22 Sec. 3. Section 297.22, unnumbered paragraphs 6 and 7,  
23 Code Supplement 1985, are amended to read as follows:

24 ~~The property value limitation listed in this section does~~  
25 ~~not apply to the sale, lease, or disposition of real estate~~  
26 ~~upon which a structure has been erected by students as part of~~  
27 ~~a regular course of study.~~

28 The board of directors of a school corporation may lease a  
29 portion of an existing school building in which the remaining  
30 portion of the building will be used for school purposes for a  
31 period of not to exceed five years. The lease may be renewed  
32 at the option of the board. Sections 297.15 to 297.20,  
33 sections 297.23 and 297.24, and the ~~property value limitations~~  
34 ~~and appraisal requirements of this section do not apply to the~~  
35 ~~lease of a portion of an existing school building.~~

EXPLANATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

This bill permits the board of directors of a school corporation to sell, lease, or dispose of property of any appraised value without approval by the electorate.

HOUSE FILE 2407

AN ACT

RELATING TO THE SALE, LEASE, OR DISPOSAL OF PROPERTY OF A  
SCHOOL CORPORATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 297.22, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The board of directors of a school district may sell, lease, or dispose of, in whole or in part, a schoolhouse, site, or other property belonging to the district ~~for which the appraised value does not exceed twenty-five thousand dollars.~~ If However, if the appraised value exceeds twenty-five thousand dollars, the board shall submit the question at an election under section 278.17, subsection 2, to authorize the sale, lease or disposal hold a public hearing before the board takes final action on the property.

Sec. 2. Section 297.22, unnumbered paragraph 4, Code Supplement 1985, is amended to read as follows:

The board of directors of a school corporation may sell, lease, exchange, give, or grant, and accept any interest in real property to, with, or from any a county, municipal corporation, school district, or township if the real property is within the jurisdiction of both the grantor and grantee. ~~The provisions of In this case sections 297.15 to 297.20, sections 297.23 and 297.24, and the property value limitation and appraisal requirements of this section do not apply to the transaction.~~

Sec. 3. Section 297.22, unnumbered paragraphs 6 and 7, Code Supplement 1985, are amended to read as follows:

~~The property value limitation listed in this section does not apply to the sale, lease, or disposition of real estate upon which a structure has been erected by students as part of a regular course of study.~~

The board of directors of a school corporation may lease a portion of an existing school building in which the remaining portion of the building will be used for school purposes for a period of not to exceed five years. The lease may be renewed at the option of the board. Sections 297.15 to 297.20, sections 297.23 and 297.24, and the ~~property value limitations~~ and appraisal requirements of this section do not apply to the lease of a portion of an existing school building. A school corporation shall pay out of the revenue from a lease to the state of Iowa, and to the city, school district and any other political subdivision authorized to levy taxes, an amount as determined by this section. The amount shall be determined by applying the annual tax rate of the taxing district to the assessed value of the portion of the building leased, prorated for the term of the lease during the appropriate taxing period. The provisions of this section relating to the payment of property tax because of leases shall only apply to leases to private, for-profit, entities which lease a portion

of a school building for a period of thirty or more  
consecutive days.

---

DONALD D. AVENSON  
Speaker of the House

---

ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 2407, Seventy-first General Assembly.

---

JOSEPH O'HERN  
Chief Clerk of the House

Approved \_\_\_\_\_, 1986

---

TERRY E. BRANSTAD  
Governor