

JAN 10 1990

Place On Calendar

HOUSE FILE 2044

BY COMMITTEE ON EDUCATION

(Formerly House Study Bill 502)

Passed House, Date 1-15-90 (p. 78) Passed Senate, Date 3/13/90 (p. 1021)

Vote: Ayes 98 Nays 0 Vote: Ayes 47 Nays 0

Approved March 19, 1998

A BILL FOR

1 An Act relating to the sale, lease, or other disposition of
2 student-constructed buildings and related school property.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2044

1 Section 1. Section 297.22, Code 1989, is amended to read
2 as follows:

3 297.22 POWER TO SELL, LEASE, OR DISPOSE OF PROPERTY --
4 TAX.

5 1. The board of directors of a school district may sell,
6 lease, or dispose of, in whole or in part, a schoolhouse,
7 site, or other property belonging to the district. However,
8 if the appraised value exceeds twenty-five thousand dollars,
9 the board shall hold a public hearing before the board takes
10 final action on the property.

11 Proceeds from the sale, lease or disposition of real
12 property shall be placed in the schoolhouse fund and proceeds
13 from the sale, lease or disposition of property other than
14 real property shall be placed in the general fund.

15 Before the board of directors may sell, lease or dispose of
16 any property belonging to the school district it shall comply
17 with the requirements set forth in sections 297.15 to 297.20
18 and sections 297.23 and 297.24. Any real estate proposed to
19 be sold shall be appraised by three disinterested freeholders
20 residing in the school district and appointed by the chief
21 judge of the judicial district of the county in which said
22 real estate is located from the list of compensation
23 commissioners.

24 The board of directors of a school ~~corporation~~ district may
25 sell, lease, exchange, give, or grant, and accept any interest
26 in real property to, with, or from a county, municipal
27 corporation, school district, or township if the real property
28 is within the jurisdiction of both the grantor and grantee.
29 In this case sections 297.15 to 297.20, sections 297.23 and
30 297.24, and appraisal requirements of this section do not
31 apply to the transaction.

32 ~~The board of directors of a school corporation may sell,~~
33 ~~lease, or dispose of a student constructed building and the~~
34 ~~property on which the student constructed building is located,~~
35 ~~and may purchase sites for the erection of additional~~

1 ~~structures, by any procedure which is adopted by the board.~~

2 The board of directors of a school corporation district may
3 lease a portion of an existing school building in which the
4 remaining portion of the building will be used for school
5 purposes for a period of not to exceed five years. The lease
6 may be renewed at the option of the board. Sections 297.15 to
7 297.20, sections 297.23 and 297.24, and the appraisal
8 requirements of this section do not apply to the lease of a
9 portion of an existing school building. A school corporation
10 district shall pay out of the revenue from a lease to the
11 state of Iowa, and to the city, school district and any other
12 political subdivision authorized to levy taxes, an amount as
13 determined by this section. The amount shall be determined by
14 applying the annual tax rate of the taxing district to the
15 assessed value of the portion of the building leased, prorated
16 for the term of the lease during the appropriate taxing
17 period. The provisions of this section relating to the
18 payment of property tax because of leases shall only apply to
19 leases to private, for-profit entities which lease a portion
20 of a school building for a period of thirty or more
21 consecutive days.

22 2. The provisions in subsection 1, relating to the sale,
23 lease, or disposition of school district property do not apply
24 to student-constructed buildings and the property on which
25 student-constructed buildings are located. The board of
26 directors of a school district may sell, lease, or dispose of
27 a student-constructed building and the property on which the
28 student-constructed building is located, and may purchase
29 sites for the erection of additional structures, by any
30 procedure which is adopted by the board.

31

EXPLANATION

32 This bill provides that the sale, lease, or disposition of
33 student-constructed buildings and the property on which the
34 buildings are located are not subject to the procedures
35 required for the sale, lease, or disposition of other school

1 district property. The bill also changes the word
2 "corporation" to "district" to create uniform use of terms
3 within the statute.

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EDUCATION

HOUSE FILE 2044
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY OLLIE)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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HOUSE FILE 2044

AN ACT

RELATING TO THE SALE, LEASE, OR OTHER DISPOSITION OF STUDENT-
CONSTRUCTED BUILDINGS AND RELATED SCHOOL PROPERTY.

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DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2044, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved March 19, 1990

TERRY E. BRANSTAD
Governor