

Senate Study Bill 1073 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to the duties and powers of the boards of
2 directors of the area education agencies to purchase, lease,
3 or lease-purchase facilities and property or buildings
4 without state board approval.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 273.2, subsection 2, Code 2021, is
2 amended to read as follows:

3 2. An area education agency established under [this chapter](#)
4 is a body politic as a school corporation for the purpose
5 of exercising powers granted under [this chapter](#), and may sue
6 and be sued. An area education agency may hold property and
7 execute purchase agreements within two years of a disaster as
8 defined in [section 29C.2, subsection 4](#), and lease-purchase
9 agreements pursuant to [section 273.3, subsection 7](#), and
10 if the lease-purchase agreement exceeds ten years or the
11 purchase price of the property to be acquired pursuant to a
12 purchase or lease-purchase agreement ~~exceeds twenty-five~~ is
13 seventy thousand dollars or greater, the area education agency
14 shall conduct a public hearing on the proposed purchase or
15 lease-purchase agreement and receive approval from the area
16 education agency board of directors and the state board of
17 education or its designee before entering into the agreement.

18 Sec. 2. Section 273.3, subsection 7, Code 2021, is amended
19 to read as follows:

20 7. Be authorized to lease, purchase, or lease-purchase,
21 subject to the approval of the state board of education or
22 its designee and to receive by gift and operate and maintain
23 facilities and buildings necessary to provide authorized
24 programs and services. However, a lease for less than ten
25 years and with an annual cost of less than ~~twenty-five~~ seventy
26 thousand dollars does not require the approval of the state
27 board. The state board shall not approve a lease, purchase,
28 or lease-purchase until the state board is satisfied by
29 investigation that public school corporations within the area
30 do not have suitable facilities available. A purchase of
31 property that is not a lease-purchase may be made only within
32 two years of a disaster as defined in [section 29C.2, subsection](#)
33 [4](#), and subject to the requirements of [this subsection](#).

34

EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill relates to the authority of a board of directors of
3 an area education agency to purchase, lease, or lease-purchase
4 property, facilities, or buildings necessary to provide
5 authorized programs and services. Such a purchase, lease, or
6 lease-purchase must be approved by the state board of education
7 unless the lease is for less than 10 years and the annual cost
8 of the lease is less than \$25,000. The bill increases the
9 amount requiring state board approval from \$25,000 to \$70,000
10 or greater.