

House File 2282 - Introduced

HOUSE FILE 2282
BY FISHER

A BILL FOR

- 1 An Act relating to the sale of certain specified buildings or
- 2 structures by school districts, and including applicability
- 3 provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 7.20, Code 2026, is amended to read as
2 follows:

3 **7.20 Executive order — use of vacant school property.**

4 The governor shall issue an executive order requiring all
5 state agencies to consider the leasing of a vacant facility
6 or building which is appropriately located and which is owned
7 by a public school corporation before a state agency leases,
8 purchases, or constructs a facility or building. The state
9 agency may lease a facility or building owned by a public school
10 corporation with an option to purchase the facility or building
11 in compliance with ~~section~~ sections 297.22 and 297.22A. The lease
12 shall provide that the public school corporation may terminate
13 the lease if the corporation needs to use the facility or
14 building for school purposes. The public school corporation
15 shall notify the state agency at least thirty days before the
16 termination of the lease.

17 Sec. 2. Section 278.1, subsection 1, paragraph b, Code 2026,
18 is amended to read as follows:

19 b. Except when restricted by section 297.24 or 297.25, direct
20 the sale, lease, or other disposition of any schoolhouse or
21 school site or other property belonging to the corporation, and
22 the application to be made of the proceeds thereof. However,
23 this section shall not be construed to prevent the sale, lease,
24 exchange, gift, or grant and acceptance of any interest in real
25 or other property of the corporation to the extent authorized in
26 section 297.22 ~~or~~, 297.22A, or 297.24.

27 Sec. 3. Section 297.19, Code 2026, is amended to read as
28 follows:

29 **297.19 Public sale.**

30 1. If the owner of the tract from which said site was
31 taken fails to pay the amount of such appraisement to such
32 school district within twenty days after the filing of same with
33 the county sheriff, the school district may sell, subject to
34 subsection 2, do any of the following:

35 a. Sell said site to any other person at the appraised value,

1 ~~or may sell the same.~~

2 b. Sell said site at public sale to the highest bidder.

3 2. If said site contains a building or structure with greater
4 than or equal to two thousand five hundred square feet of floor
5 space, the school district shall not sell said site unless the
6 county board of supervisors of the county in which said site is
7 located approves such sale.

8 Sec. 4. Section 297.20, Code 2026, is amended to read as
9 follows:

10 **297.20 Sale of improvements.**

11 1. If there are improvements on said site, the improvements
12 may, at the request of either party and subject to subsection 2,
13 be appraised and sold separately.

14 2. If the improvements on said site include a building
15 or structure with greater than or equal to two thousand five
16 hundred square feet of floor space, the school district shall not
17 sell the improvements on said site unless the county board of
18 supervisors of the county in which said site is located approves
19 such sale.

20 Sec. 5. NEW SECTION. **297.22A Approval for sale of certain**
21 **school buildings.**

22 In addition to the requirements described in section 297.22,
23 subsection 1, paragraph "c", the board of directors of a school
24 district shall not sell a building or structure with greater than
25 or equal to two thousand five hundred square feet of floor space
26 unless the sale is approved by one of the following:

27 1. The city council of the city in which the building or
28 structure is located.

29 2. If the building or structure is situated wholly outside of
30 a city, the county board of supervisors of the county in which
31 the building or structure is located.

32 Sec. 6. Section 297.25, Code 2026, is amended to read as
33 follows:

34 **297.25 Rule of construction.**

35 Section 297.22 shall be construed as independent of the power

1 vested in the electors by section 278.1, and as additional
2 to such power. If a board of directors has exercised its
3 independent power under section 297.22 regarding the disposition
4 of real or personal property of the school district and has by
5 resolution approved such action, the electors may subsequently
6 proceed to exercise their power under section 278.1 for a
7 purpose directly contrary to an action previously approved by
8 the board of directors in accordance with section 297.22 or
9 297.22A. However, the electors shall be limited to ten days after
10 an action by the board to exercise such power for a purpose
11 directly contrary to the board's action.

12 Sec. 7. Section 331.361, subsection 7, Code 2026, is amended
13 to read as follows:

14 7. The board shall not lease, purchase, or construct a
15 facility or building before considering the leasing of a vacant
16 facility or building which is located in the county and owned by
17 a public school corporation. The board may lease a facility or
18 building owned by the public school corporation with an option
19 to purchase the facility or building in compliance with section
20 297.22 or 297.22A. The lease shall provide that the public school
21 corporation may terminate the lease if the corporation needs to
22 use the facility or building for school purposes. The public
23 school corporation shall notify the board at least thirty days
24 before the termination of the lease.

25 Sec. 8. Section 364.21, Code 2026, is amended to read as
26 follows:

27 **364.21 Use of vacant school property.**

28 A city shall not lease, purchase, or construct a building
29 before considering the leasing of a vacant facility or building
30 owned by a local public school corporation. The city may lease
31 a facility or building owned by a local public school corporation
32 with an option to purchase the facility or building in compliance
33 with section 297.22 or 297.22A. The lease shall provide that
34 the public school corporation may terminate the lease if the
35 corporation needs to use the facility or building for school

1 purposes. The public school corporation shall notify the city
2 at least thirty days before the termination of the lease.

3 Sec. 9. APPLICABILITY. This Act does not apply to sales of
4 real property, and agreements to sell real property, that are
5 effected or entered into prior to the effective date of this Act.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill relates to the sale of certain specified buildings
10 or structures by school districts.

11 The bill prohibits the board of directors of a school district
12 from selling a building or structure with greater than or equal
13 to 2,500 square feet of floor space unless the sale is approved
14 by either the city council of the city in which the building or
15 structure is located, or if the building or structure is situated
16 wholly outside of a city, the county board of supervisors of the
17 county in which the building or structure is located. The bill
18 does not apply to sales of real property, and agreements to sell
19 real property, that are effected or entered into prior to the
20 effective date of the bill. The bill makes conforming changes.