

FINAL BILL REPORT

HB 2617

C 40 L 20
Synopsis as Enacted

Brief Description: Concerning the lease or rental of surplus property of school districts.

Sponsors: Representatives Robinson, Ortiz-Self, Sells, Macri, Valdez, Lekanoff and Senn.

House Committee on Education

Senate Committee on Early Learning & K-12 Education

Background:

Surplus Real Property of School Districts.

A school district's boards of directors may rent, lease, or permit the occasional use of surplus real property owned or lawfully held by the district, to any person, corporation, or government entity. The leasing, renting, or use of the property must be in accordance with an adopted district policy governing its use and may not interfere with the conduct of the district's educational program and related activities.

The lease or rental agreement of the district must include provisions that permit the recapture of the surplus property if it is needed for school purposes. This recapture requirement does not apply if the land has close proximity to an international airport and the property has been:

- permanently altered as to preclude the possible use of the property for a school; and
- heavily impacted by surrounding land uses so that a school would no longer be appropriate in that area.

Surplus Public Property—Affordable Housing.

Any state agency, municipality, or political subdivision, with authority to dispose of surplus public property, may transfer, lease, or otherwise dispose of excess real property to a public, private, or nongovernmental body for affordable housing for low-income and very low-income households.

Summary:

A school district's board of directors lease or rent district owned surplus real property without including a provision in the lease or rental agreement to recapture the land for school purposes if the real property is leased or rented for affordable housing purposes in

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accordance with statutory provisions permitting the use of surplus public property for affordable housing purposes.

The modified lease and rental provisions apply to lease and rental agreements entered into on or after January 1, 2018.

Votes on Final Passage:

House	70	28
Senate	38	10

Effective: June 11, 2020