
HOUSE BILL 2617

State of Washington

66th Legislature

2020 Regular Session

By Representatives Robinson, Ortiz-Self, Sells, Macri, Valdez, Lekanoff, and Senn

Read first time 01/16/20. Referred to Committee on Education.

1 AN ACT Relating to the lease or rental of surplus property of
2 school districts; amending RCW 28A.335.040; and creating a new
3 section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.335.040 and 1991 c 116 s 12 are each amended to
6 read as follows:

7 (1) Every school district board of directors is authorized to
8 permit the rental, lease, or occasional use of all or any portion of
9 any surplus real property owned or lawfully held by the district to
10 any person, corporation, or government entity for profit or
11 nonprofit, commercial or noncommercial purposes: PROVIDED, That the
12 leasing or renting or use of such property is for a lawful purpose
13 and does not interfere with conduct of the district's educational
14 program and related activities: PROVIDED FURTHER, That the lease or
15 rental agreement entered into shall include provisions which permit
16 the recapture of the leased or rented surplus property of the
17 district should such property be needed for school purposes in the
18 future except in such cases where(~~, due~~):

19 (a) Due to proximity to an international airport, land use has
20 been so permanently altered as to preclude the possible use of the
21 property for a school housing students and the school property has

1 been heavily impacted by surrounding land uses so that a school
2 housing students would no longer be appropriate in that area; or

3 (b) The property is leased or rented for affordable housing
4 purposes under RCW 39.33.015.

5 (2) Authorization to rent, lease or permit the occasional use of
6 surplus school property under this section, RCW 28A.335.050 and
7 28A.335.090 is conditioned on the establishment by each school
8 district board of directors of a policy governing the use of surplus
9 school property.

10 (3) The board of directors of any school district desiring to
11 rent or lease any surplus real property owned by the school district
12 shall publish a written notice in a newspaper of general circulation
13 in the school district for rentals or leases totaling ten thousand
14 dollars or more in value. School districts shall not rent or lease
15 the property for at least forty-five days following the publication
16 of the newspaper notice.

17 (4) Private schools shall have the same rights as any other
18 person or entity to submit bids for the rental or lease of surplus
19 real property and to have such bids considered along with all other
20 bids: PROVIDED, That the school board may establish reasonable
21 conditions for the use of such real property to assure the safe and
22 proper operation of the property in a manner consistent with board
23 policies.

24 NEW SECTION. **Sec. 2.** Section 1 of this act is remedial and
25 curative in nature and applies retroactively to any lease or rental
26 agreement entered into on or after January 1, 2018.

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