

HB 1894 -- VACANT PUBLIC SCHOOL BUILDINGS

SPONSOR: Frederick

This bill requires a school district that is declared provisionally accredited or unaccredited to report any unused or vacant buildings each year on or before July 1. Beginning in 2014, a district must report any building that was unused for the last three school years. If the building is listed for two consecutive years, it must remain on the list for 48 months or until it is sold or leased, whichever occurs first. The building must be made available for lease or sale to a charter school and not exceed a fair market price, which will be determined by the Department of Elementary and Secondary Education based on a professional appraisal or evaluation services. The district may sell the building if they do not receive a bid from or enter into an agreement with a charter school within two years after the building is listed. If the building is leased or sold to a charter school, ingress and the right to access common areas must be provided. The charter school may mortgage the building, and the school district must subordinate its interest to the debt. The charter school is responsible for utilities, insurance, maintenance, taxes, and repairs.

A school district or any entity owning a school building must publicly identify the amount of debt on the building within seven days after inquiry from a potential buyer. If an offer is made by a charter school, the transaction must be completed within one year from the date of the written offer. A charter school cannot resell a building in less than five years at a sum greater than the purchase price plus debt, real estate commissions, and closing costs unless the school's charter was revoked. A school district cannot lease an unused building back to itself or to an entity in which they are affiliated. A school district may sell used equipment to a charter school before attempting to sell or dispose of the equipment by other means.

The bill contains an emergency clause.