



Legislative
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HB 19-1100

REVISED FISCAL NOTE

(replaces fiscal note dated February 5, 2019)

Drafting Number: LLS 19-0753
Prime Sponsors: Rep. Geitner
Sen. Bridges

Date: February 13, 2019
Bill Status: Senate Education
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Bill Topic: PROHIBIT USE RESTRICTION ON SCHOOL DISTRICT PROP

Summary of Fiscal Impact: **No fiscal impact.** The bill prohibits a local school board from placing use restrictions on the sale or lease of school district buildings.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This fiscal note reflects the reengrossed bill.

Summary of Legislation

Under current law, locally elected school boards have the power to sell or lease district owned property for any purpose authorized by law. State law does not prohibit a school board from including a use restriction on the sale of district property that restricts the property from being used as a public or nonpublic K-12 school. This bill permits a school board to include a title, covenant, deed, or other use restriction only after providing public notice of its intent, and discussing the issue in public at a regularly scheduled school board meeting.

Assessment of No Fiscal Impact

The bill's requirement that local school boards provide public notice when employing a use restriction, and to discuss the issue at a board meeting, does not change the expenditures or revenue of any state agency, local government, or school district. Providing public notices and conducting public meetings are inherent in the activities of locally elected boards of education, and do not equate to new workload or expenditures. Additionally, the bill has no direct impact on a local board's ultimate decision making authority to sell, lease, or donate school district property. For these reasons, the bill is assessed as having no fiscal impact.

Effective Date

The bill takes effect August 2, 2019, if the General Assembly adjourns on May 3, 2019, as scheduled, and no referendum petition is filed, and applies to the sale, conveyance, or lease of school district property on or after that date.

State and Local Government Contacts

Education School Districts