

CHAPTER 367

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 07-1178

BY REPRESENTATIVE(S) Butcher, Carroll T., Gallegos, Gardner C., Lambert, Stafford, Stephens, Summers, Roberts, and Todd; also SENATOR(S) Spence, Tapia, Groff, Harvey, Johnson, Kester, Kopp, McElhany, Mitchell S., Penry, Renfroe, Romer, Schultheis, Taylor, Veiga, Ward, and Wiens.

AN ACT**CONCERNING DISCRETION OF SCHOOL DISTRICTS TO SELL FACILITIES TO CHARTER SCHOOLS.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 22-30.5-104 (7), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-30.5-104. Charter school - requirements - authority. (7) (d) A CHARTER SCHOOL OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 5 OF THIS ARTICLE THAT IS OPERATING IN A SCHOOL DISTRICT BUILDING MAY PURCHASE THE BUILDING AND THE GROUNDS UPON WHICH THE BUILDING IS LOCATED FROM THE SCHOOL DISTRICT, AT THE SCHOOL DISTRICT'S DISCRETION, ACCORDING TO TERMS ESTABLISHED BY MUTUAL AGREEMENT OF THE PARTIES. IF A CHARTER SCHOOL THAT HAS PURCHASED A SCHOOL BUILDING AND GROUNDS PURSUANT TO THIS PARAGRAPH (d) VACATES THE SCHOOL BUILDING AND GROUNDS OR ELECTS TO SELL THE SCHOOL BUILDING AND GROUNDS, THE SCHOOL DISTRICT THAT SOLD THE SCHOOL BUILDING AND GROUNDS TO THE CHARTER SCHOOL PURSUANT TO THIS PARAGRAPH (d) SHALL HAVE FIRST RIGHT OF REFUSAL TO REACQUIRE AND PURCHASE THE PROPERTY AT FAIR MARKET VALUE OR IN ACCORDANCE WITH OTHER TERMS OF REPURCHASE ESTABLISHED BY MUTUAL AGREEMENT OF THE PARTIES.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 31, 2007

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.