

Hall of the House of Representatives
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of House Bill No. 1310

TO ALLOW SCHOOL DISTRICTS THAT HAVE BEEN CONSOLIDATED TO SELL, PRESERVE, LEASE, OR
DONATE REAL PROPERTY THAT IS NO LONGER UTILIZED BY THE SCHOOL DISTRICTS.

Amendment No. 1 to House Bill No. 1310

Amend House Bill No. 1310 as originally introduced:

Add Representative Catlett as a cosponsor of the bill

AND

Add Senators S. Flowers, Irvin as cosponsors of the bill

AND

Page 2, delete line 18 and substitute:

"building or real property.

(c)(1) If a school district is unable to secure a purchaser or lessor for an unused building or real property at or near fair market value, a school district shall advertise once per month for three (3) consecutive months the unused building or real property for sale or lease by the school district:

(A) In a newspaper in circulation in the county in which the unused building or real property is located; and

(B) In a newspaper with statewide circulation.

(2)(A) If an acceptable fair market value offer has not been made and accepted by the board of directors of a school district after ninety (90) days from the date of the initial advertisement, the school board may petition the circuit court in Pulaski County to issue an order declaring that it is in the best interest of the school district to dispose of the building or real property and authorizing:

(i) A bona fide sale or lease offer from a qualified purchaser or lessor, the value of which is less than fair market value; or

(ii) A public sale by auction, including the reserve purchase price.

(B) In determining whether it is in the best interest of the school district to dispose of the building or real property, the court may consider, factors including without limitation:

(i) The efforts made by the school board to market



and advertise the unused building or real property; and

(ii) The projected cost to the school district of insuring and maintaining the unused building or real property.

(3) The purchase price of a building or real property by judicial order is considered a valid purchase price and may be used to determine the fair market value of unused buildings and real property in other school districts.

(d) The proceeds of the sale or lease of an unused building or real property under this section, excluding expenses, shall be used by the school district for school purposes."

The Amendment was read _____

By: Representative Linck

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Chief Clerk