

ARKANSAS SENATE
85th General Assembly - Regular Session, 2005
Amendment Form

Subtitle of Senate Bill No. 1192

"TO ESTABLISH PROCEDURES FOR THE PRESERVATION, DISPOSAL, OR BOTH OF
SCHOOL BUILDINGS IN SCHOOL DISTRICTS THAT HAVE BEEN CONSOLIDATED."

Amendment No. 1 to Senate Bill No. 1192.

Amend Senate Bill No. 1192 as originally introduced:

Delete everything after the enacting clause and substitute:

“SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 1 is amended to add an additional section to read as follows:

6-13-111. Consolidated school districts.

A school district in the State of Arkansas that is consolidated with one (1) or more school districts may:

(1) Sell buildings or lands owned by the school district that are no longer used by the school district; or

(2) Preserve buildings or lands owned by the school district that are no longer used by the school district.

SECTION 2. Arkansas Code § 6-21-108 is amended to read as follows:

6-21-108. School districts authorized to own and convey real property – Donation of property for educational purposes only.

(a) In addition to the authority of school districts under § 6-13-620 to have the care and custody of the schoolhouse, grounds, and other property belonging to the district, the board of directors for any Arkansas school district shall be authorized and empowered to acquire and hold real estate, tenements, hereditaments, and other real property as is necessary and proper for the purposes of the education of pupils of the district and the administration of the schools of the district.

(b)(1) If the board of directors for a school district determines that any real estate owned or controlled by the district is not required for the present or anticipated future needs of the school district and that the donation thereof would serve a beneficial educational service for the pupils of the district, then the school district is also empowered and authorized to donate property or any part thereof to a publicly supported institution of higher education, ~~or a vocational technical or a technical institute, a~~ community college, a not-for-profit organization, or any entity thereof, for any of the following limited purposes:

(A) Having the real property improved, upgraded,



rehabilitated, or enlarged by the donee; ~~or~~

(B) Providing a publicly supported institution of higher education or a ~~vocational-technical~~ technical institute or community college with the donated property in which to hold classes for students who are from the district or to educate pupils from within the donating school district even if students from outside the district might also benefit; ~~or~~

(C) Providing community programs, social enrichment programs, or after-school programs for students who are from the district or to educate pupils from within the donating school district even if other persons in the community or students from outside the district might also benefit.

~~(2) All donation instruments shall contain provisions by which the title to the property donated shall revert to the donating school district when the donated property is no longer used by the donee for the purposes for which it was donated.~~

~~(3)~~(2) Furthermore, school districts may donate the fee simple title and absolute interest, without any reservations or restrictions, in and to all real property or any part of the property to the publicly supported institution or college if this property was previously conveyed or otherwise transferred by the institution or college to the school district without cost.

(c) The execution of all contracts and conveyances and lease contracts shall be performed by the president and confirmed by the secretary of the school board when authorized by a resolution in writing and approved by a majority vote of the school board.”

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Higginbotham
JSE/VLH - 03-17-2005 09:17
JSE485

Secretary