

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

As Engrossed: S2/18/99 H4/5/99

A Bill

SENATE BILL 468

5 By: Senator Mahony
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE TITLE 6, CHAPTER 21,
10 SUBCHAPTER 1, REGARDING SCHOOL PROPERTY, TO AUTHORIZE
11 ARKANSAS SCHOOL DISTRICTS TO GIVE, CONVEY, AND DONATE
12 REAL PROPERTY TO *HIGHER* EDUCATIONAL INSTITUTIONS WHEN
13 USED ONLY FOR EDUCATIONAL PURPOSES; AND FOR OTHER
14 PURPOSES. "

Subtitle

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17 "TO AUTHORIZE ARKANSAS SCHOOL DISTRICTS
18 TO GIVE, CONVEY, AND DONATE REAL
19 PROPERTY TO *HIGHER* EDUCATIONAL
20 INSTITUTIONS WHEN USED ONLY FOR
21 EDUCATIONAL PURPOSES. "

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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 6, Chapter 21, Subchapter 1 is amended
27 by adding the following section to be appropriately numbered by the Arkansas
28 Code Revision Commission:

29 "School districts authorized to own and convey real property - Donate
30 property for educational purposes only.

31 (a) In addition to the authority of school districts under Arkansas
32 Code 6-13-620 to have the care and custody of the school house, grounds, and
33 other property belonging to the district, the board of directors for any
34 Arkansas school district shall be authorized and empowered to acquire and hold
35 real estate, tenements, hereditaments, and other real property as is necessary
36 and proper for the purposes of the education of pupils of the district and the

1 administration of the schools of the district.

2 ~~(c)(1)~~ (b)(1) If the board of directors for a school district determines
3 that any real estate owned or controlled by the district is not required for
4 the present or anticipated future needs of the school district, and that the
5 donation thereof would serve a beneficial educational service for the pupils
6 of the districts, then the school districts are also empowered and authorized
7 to donate property, or any part thereof, to a public supported institution of
8 higher education or a vocational-technical or community college or any entity
9 thereof, for any of the following limited purposes:

10 (A) Having the real property improved, upgraded,
11 rehabilitated, or enlarged by the donee; or

12 (B) Providing a public supported institution of higher
13 education or a vocational-technical or community college with the donated
14 property in which to hold classes for students who are from the district or to
15 educate pupils from within the donating school district even if students from
16 outside the district might also benefit.

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

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

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

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32 SECTION 2. All provisions of this act of a general and permanent nature
33 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
34 Revision Commission shall incorporate the same in the Code.

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36 SECTION 3. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect
2 other provisions or applications of the act which can be given effect without
3 the invalid provision or application, and to this end the provisions of this
4 act are declared to be severable.

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6 SECTION 4. All laws and parts of laws in conflict with this act are
7 hereby repealed.

8 /s/ Mahony
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