

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: H3/9/05 H3/18/05

# A Bill

HOUSE BILL 2936

5 By: Representatives Willis, Davis  
6

## For An Act To Be Entitled

8 AN ACT TO ESTABLISH PROCEDURES FOR THE  
9 PRESERVATION, DISPOSAL, OR BOTH OF SCHOOL  
10 BUILDINGS IN SCHOOL DISTRICTS THAT HAVE BEEN  
11 CONSOLIDATED; AND FOR OTHER PURPOSES.  
12

### Subtitle

14 TO ESTABLISH PROCEDURES FOR THE  
15 PRESERVATION, DISPOSAL, OR BOTH OF  
16 SCHOOL BUILDINGS IN SCHOOL DISTRICTS  
17 THAT HAVE BEEN CONSOLIDATED.  
18  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 *SECTION 1. Arkansas Code Title 6, Chapter 13, Subchapter 1 is amended*  
23 *to add an additional section to read as follows:*

24 6-13-111. Consolidated school districts.

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

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

29 (2) Preserve buildings or lands owned by the school district  
30 that are no longer used by the school district.  
31

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

33 *6-21-108. School districts authorized to own and convey real property*  
34 *– Donation of property for educational purposes only.*

35 *(a) In addition to the authority of school districts under § 6-13-620*  
36 *to have the care and custody of the schoolhouse, grounds, and other property*



1 belonging to the district, the board of directors for any Arkansas school  
 2 district shall be authorized and empowered to acquire and hold real estate,  
 3 tenements, hereditaments, and other real property as is necessary and proper  
 4 for the purposes of the education of pupils of the district and the  
 5 administration of the schools of the district.

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

15 (A) Having the real property improved, upgraded,  
 16 rehabilitated, or enlarged by the donee; ~~or~~

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

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

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

31 ~~(3)~~(2) Furthermore, school districts may donate the fee simple  
 32 title and absolute interest, without any reservations or restrictions, in and  
 33 to all real property or any part of the property to the publicly supported  
 34 institution or college if this property was previously conveyed or otherwise  
 35 transferred by the institution or college to the school district without  
 36 cost.

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

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*/s/ Willis, et al*