

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: S3/18/05

A Bill

SENATE BILL 1192

5 By: Senator Higginbothom
6 By: Representative Willis
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For An Act To Be Entitled

10 AN ACT TO ESTABLISH PROCEDURES FOR THE
11 PRESERVATION, DISPOSAL, OR BOTH OF SCHOOL
12 BUILDINGS IN SCHOOL DISTRICTS THAT HAVE BEEN
13 CONSOLIDATED; AND FOR OTHER PURPOSES.
14

Subtitle

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

26 *6-13-111. Consolidated school districts.*

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

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

31 *(2) Preserve buildings or lands owned by the school district*
32 *that are no longer used by the school district.*
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34 *SECTION 2. Arkansas Code § 6-21-108 is amended to read as follows:*

35 *6-21-108. School districts authorized to own and convey real property*
36 *– Donation of property for educational purposes only.*



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

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

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

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

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

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

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

1 transferred by the institution or college to the school district without
2 cost.

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

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/s/ Higginbothom