

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 85
HOUSE BILL 2460

AN ACT

AMENDING SECTION 15-189, ARIZONA REVISED STATUTES; RELATING TO CHARTER SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-189, Arizona Revised Statutes, is amended to
3 read:

4 15-189. Charter schools and private schools: vacant
5 buildings; list; prohibition; used equipment

6 A. The school facilities board, in conjunction with the department
7 of administration, shall annually publish a list of vacant and unused
8 buildings and vacant and unused portions of buildings that are owned by
9 this state or by school districts in this state and that may be suitable
10 for the operation of a charter school. The school facilities board shall
11 make the list available to applicants for charter schools and to existing
12 charter schools. The list shall include the address of each building, a
13 short description of the building, the name of the owner of the building
14 and any other pertinent information related to the vacancy of the
15 building. The school facilities board shall annually submit the list to
16 the governor, the president of the senate and the speaker of the house of
17 representatives and provide a copy of the list to the secretary of state.

18 B. If a school district decides to sell or lease a vacant and
19 unused building or a vacant and unused portion of a building, the school
20 district may not prohibit a charter school **OR PRIVATE SCHOOL** from
21 negotiating to buy or lease the property in the same manner as other
22 potential buyers or lessees. A school district shall attempt to obtain
23 the highest possible value under current market conditions for the sale or
24 lease of the vacant and unused building or the vacant and unused portion
25 of a building **AND MAY NOT ACCEPT AN OFFER FROM A POTENTIAL BUYER OR LESSEE**
26 **THAT IS LESS THAN AN OFFER FROM A CHARTER SCHOOL OR PRIVATE SCHOOL.**
27 ~~Nothing in~~ This section ~~requires~~ **DOES NOT REQUIRE** the owner of a building
28 on the list to sell or lease the building or a portion of the building to
29 a charter school, ~~or~~ to any other school or to any other prospective buyer
30 or tenant, **EXCEPT THAT THE OWNER OF A BUILDING ON THE LIST MAY NOT**
31 **WITHDRAW THE PROPERTY FROM SALE OR LEASE SOLELY BECAUSE A CHARTER SCHOOL**
32 **OR PRIVATE SCHOOL IS THE HIGHEST BIDDER.**

33 ~~B.~~ C. A school district may sell used equipment to a charter
34 school **OR PRIVATE SCHOOL** before the school district attempts to sell or
35 dispose of the equipment by other means.

APPROVED BY THE GOVERNOR MARCH 27, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 27, 2018.