

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 368 by Representative Arnold

PUBLIC PROPERTY: Authorizes the sale of school property of the Orleans Parish School Board to another public body for at least its appraised value without the necessity of procedures otherwise provided by law

Synopsis of Senate Amendments

1. In provision requiring that the school board must determine that school property to be sold is no longer needed for school purposes, specifies that school purposes include purposes related to providing vacant facilities to charter schools as provided by present law.

Digest of Bill as Finally Passed by Senate

**Abstract:** Authorizes the Orleans Parish School Board to sell unused immovable school property to public bodies without the necessity of procedures otherwise provided by law, provided that the sale shall be for not less than the property's appraised value.

Present law provides various procedures and limitations on the sale of school lands and immovable property. Present law authorizes a local school board to sell immovable property no longer needed for school purposes at public auction or under sealed bids. Prior to such sale, the school board is required to advertise the sale. Present law specifies procedures for such advertising. Provides procedures for both public auction and sale under sealed bid. Present law provides relative to the minimum bid at such sales. Provides that at the first offer to sell, the minimum bid is 85% of the appraised value. If the school board receives no bids that are equal to or greater than the minimum bid, it may attempt to sell the property again, and the minimum bid at such second sale is 80% of the appraised value. If the property again fails to sell, there is no minimum bid at the third attempt to sell. Present law also includes provisions for sale of 16th section lands and indemnity school lands, including sale of indemnity lands by the state land office and sale of 16th section lands by specified officials. Provides for disposition of the proceeds of sales of such lands, generally for school purposes.

Proposed law provides for the sale of unused school property to other public bodies by the Orleans Parish School Board as follows:

- (1) Defines terms as follows:
  - (a) "Public body" – the state of La. or any department, agency, or instrumentality, or official thereof, any political subdivision of the state or any department, agency, instrumentality or official thereof, or any other unit of state or local government in the state.
  - (b) "School board" – the Orleans Parish School Board.
  - (c) "School property" – any school property or other immovable property under the control of the school board, including but not limited to 16th section lands and school indemnity lands.
- (2) Authorizes the Orleans Parish School Board, notwithstanding the requirements of present law regarding the sale of school property, to sell school property to a public body without meeting the requirements of any other provision of law when it determines that such property is no longer needed for school purposes, including purposes related to providing vacant facilities to charter schools as required by

- present law, and that the best interests of the school system would be served by the sale of such property. Provides that sale of 16th section lands or indemnity school lands under proposed law shall be executed by the state land office on behalf of the school board.
- (3) Requires that property be sold at a price not less than the appraised value of the property. Requires the school board to establish the appraised value by obtaining an appraisal from a certified, licensed appraiser not more than six months prior to the sale date. Provides that the appraisal be available for public inspection and that the cost of the appraisal be borne by the public body that purchases the property.
  - (4) Requires that, notwithstanding any other provision of law, proceeds from a sale pursuant to proposed law be paid over to the school board and used for the support of schools of the school system and, in the case of the sale of 16th section lands or indemnity school lands, for the purposes of the dedication of such lands as provided by law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 41:905)