

An Act

HOUSE BILL 25-1006

BY REPRESENTATIVE(S) Lukens and Hartsook, Bacon, Bird, Boesenecker, Brown, Camacho, Clifford, Duran, Froelich, Lindsay, Lindstedt, Mauro, McCormick, Phillips, Ricks, Rutinel, Sirota, Smith, Stewart K., Titone, Valdez, Willford, McCluskie, Carter, Paschal, Zokaie; also SENATOR(S) Bridges and Kolker, Cutter, Danielson, Exum, Gonzales J., Jodeh, Kipp, Marchman, Michaelson Jenet, Roberts, Wallace, Winter F., Coleman.

CONCERNING ALLOWING A SCHOOL DISTRICT TO LEASE DISTRICT PROPERTY
FOR ANY TERM OF YEARS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 22-32-110, **amend** (1)(f) as follows:

22-32-110. Board of education - specific powers - definitions.

(1) In addition to any other power granted to a board of education of a school district by law, each board of education of a school district has the following specific powers, to be exercised in its judgment:

(f) (I) To rent or lease district property not needed for its purposes

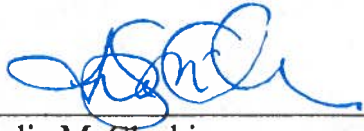
Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

for terms not exceeding ten years; or in the case of unimproved real property leased to a lessee that is a charter school as defined in section 22-30.5-403 (3), for a term not exceeding thirty years; ~~or in the case of a charter school using debt financing, for a term not exceeding the term of the debt financing, subject to all land use and building and zoning plans, codes, resolutions, and regulations, and to permit the use of district property by community organizations upon such terms and conditions as it may approve;~~ ~~No OR IN THE CASE OF A SOLAR FIELD, ENERGY STORAGE SYSTEM, OR AN AFFORDABLE HOUSING PROJECT, FOR ANY TERM OF YEARS.~~ A finding that the property is not needed for the district's purposes ~~shall be necessary~~ IS UNNECESSARY if the board anticipates that the district will become the subtenant of the property under a sublease, and under such circumstances the term of the lease may exceed ten years but may not exceed fifty years. A board of education of a school district may only include, in a lease or otherwise, a use restriction on the rental or lease of any district property pursuant to this subsection (1)(f) that restricts the property from being used as a public or nonpublic school for any grade from preschool through the twelfth grade, after providing public notice of its intent to include such use restriction and after discussing the issue in public at a regularly scheduled meeting of the board of education.

(II) IF A BOARD OF EDUCATION OF A SCHOOL DISTRICT LEASES OR RENTS PROPERTY FOR THE PURPOSES OF AN AFFORDABLE HOUSING PROJECT, THE BOARD OF EDUCATION SHALL DEVELOP A POLICY THAT DEFINES AFFORDABLE HOUSING FOR THE PROJECT.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in

November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.



Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE



Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED Friday May 20th 2023 at 4:10 PM
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO