

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 25-0329.01 Michael Dohr x4347

HOUSE BILL 25-1006

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A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law limits to 10 years the length a school district can lease district property not needed for its purposes. The bill allows a school district to lease district property for any term of years for purposes of a solar field or affordable housing.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
Amended 2nd Reading
April 3, 2025

HOUSE
3rd Reading Unamended
February 4, 2025

HOUSE
Amended 2nd Reading
February 3, 2025

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

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

4 **22-32-110. Board of education - specific powers - definitions.**

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

8 (f) (I) To rent or lease district property not needed for its purposes
9 for terms not exceeding ten years; or in the case of unimproved real
10 property leased to a lessee that is a charter school as defined in section
11 22-30.5-403 (3), for a term not exceeding thirty years; ~~or~~ in the case of a
12 charter school using debt financing, for a term not exceeding the term of
13 the debt financing, subject to all land use and building and zoning plans,
14 codes, resolutions, and regulations, and to permit the use of district
15 property by community organizations upon such terms and conditions as
16 it may approve; ~~No OR IN THE CASE OF A SOLAR FIELD, ENERGY STORAGE~~
17 ~~SYSTEM, OR AN AFFORDABLE HOUSING PROJECT, FOR ANY TERM OF YEARS.~~

18 A finding that the property is not needed for the district's purposes ~~shall~~
19 ~~be necessary~~ IS UNNECESSARY if the board anticipates that the district will
20 become the subtenant of the property under a sublease, and under such
21 circumstances the term of the lease may exceed ten years but may not
22 exceed fifty years. A board of education of a school district may only
23 include, in a lease or otherwise, a use restriction on the rental or lease of
24 any district property pursuant to this subsection (1)(f) that restricts the
25 property from being used as a public or nonpublic school for any grade
26 from preschool through the twelfth grade, after providing public notice
27 of its intent to include such use restriction and after discussing the issue

1 in public at a regularly scheduled meeting of the board of education.

2 (II) IF A BOARD OF EDUCATION OF A SCHOOL DISTRICT LEASES OR
3 RENTS PROPERTY FOR THE PURPOSES OF AN AFFORDABLE HOUSING
4 PROJECT, THE BOARD OF EDUCATION SHALL DEVELOP A POLICY THAT
5 DEFINES AFFORDABLE HOUSING FOR THE PROJECT. SUCH AFFORDABLE
6 HOUSING PROJECTS SHALL BE SUBJECT TO THE APPROPRIATE LOCAL
7 GOVERNMENTAL LAND USE APPROVAL PROCESS.

8 **SECTION 2. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly; except
11 that, if a referendum petition is filed pursuant to section 1 (3) of article V
12 of the state constitution against this act or an item, section, or part of this
13 act within such period, then the act, item, section, or part will not take
14 effect unless approved by the people at the general election to be held in
15 November 2026 and, in such case, will take effect on the date of the
16 official declaration of the vote thereon by the governor.