

By: Lindsay

S.B. No. 842

A BILL TO BE ENTITLED

AN ACT

relating to the use of school district real property by a nonprofit organization.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 33, Education Code, is amended by adding Section 33.905 to read as follows:

Sec. 33.905. USE OF SCHOOL DISTRICT REAL PROPERTY BY NONPROFIT ORGANIZATION. (a) A school district shall, to the extent reasonable, accommodate an organization in making district real property, including school facilities and grounds, available to the organization for conducting activities for school-aged children if the district's superintendent or the superintendent's designee determines that:

(1) the organization qualifies for a tax exemption under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code;

(2) the activities are acceptable and beneficial for school-aged children; and

(3) conducting the activities on district property will not disrupt district activities.

(b) A school district may not charge a nonprofit organization for use of district property to conduct activities under this section an amount greater than the actual cost to the district in making the property available.

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1           SECTION 2.   This Act takes effect September 1, 2005.