

By: Troxclair

H.B. No. 5312

A BILL TO BE ENTITLED

AN ACT

relating to the sale, lease, or use of an unused or underused school district facility.

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

SECTION 1. Section 11.1542, Education Code, is amended to read as follows:

Sec. 11.1542. ~~[OPEN-ENROLLMENT CHARTER SCHOOL]~~ OFFER FOR DISTRICT FACILITY. (a) The board of trustees of an independent school district that intends to sell, lease, or allow use for a purpose other than a district purpose of an unused or underused district facility must give ~~[each]~~ any public school district, open-enrollment charter school, or private school approved to operate in this state ~~[located wholly or partly within the boundaries of the district]~~ the opportunity to make an offer to purchase, lease, or use the facility, as applicable, in response to any terms established by the board of trustees, before offering the facility for sale or lease or to any other specific entity.

(b) Before selling or leasing a district facility, the board of trustees of an independent school district must obtain an appraisal report for the facility dated within 12 months of the date the board offers the facility for sale or lease.

(c) During the first 90 days a facility is offered for sale or lease, the board of trustees may only accept offers from a public school district, open-enrollment charter school, or private

1 school. The board of trustees must accept the best offer that meets
2 or exceeds the appraised value of the facility.

3 (d) If no qualifying offers are received during the first 90
4 days, the board of trustees may offer the facility for sale or lease
5 to the general public.

6 (e) If the board of trustees accepts an offer under
7 subsection (d), the board must:

8 (1) provide each public school district,
9 open-enrollment charter school, or private school that submitted an
10 offer under subsection (c) 14 days to submit a revised offer
11 matching or exceeding the selected offer's material financial
12 terms, including price and payment terms; and

13 (2) accept the best revised offer submitted under
14 subsection (e)(1).

15 ~~[(b) This section does not require the board of trustees of~~
16 ~~a school district to accept an offer made by an open-enrollment~~
17 ~~charter school.]~~

18 SECTION 2. This Act takes effect September 1, 2025.