



# Legislative Council Staff

## Research Note

Version: Final

Date: 9/6/2016

### Bill Number

**Senate Bill 16-209**

### Sponsors

***Senators Todd and Holbert  
Representatives Buckner and  
Priola***

### Short Title

***Authorize School District  
Property Lease to Higher  
Education Institutions***

### Research Analyst

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### Status

This research note reflects the final version of the bill, which became effective upon the signature of the Governor on June 6, 2016.

### Summary

The bill authorizes a school district board of education to lease school district property to a state higher education institution and to accept in-kind services (such as tuition reduction or scholarships for their students) from the institution as all or part of the lease payments. The bill clarifies that a school district may issue bonds to construct a building for lease to a state institution of higher education.

### Background

Under current law, higher education institutions may lease space from local school districts and may enroll high school students in college classes. The bill was proposed by the Aurora Public Schools in an effort to provide more opportunities for professional development, scholarships, and reduced tuition rates for its students through in-kind services provided in lieu of or as part of lease payments made by higher education institutions. The Aurora Public Schools already partners with the Community College of Aurora .

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## Senate Action

**Senate Finance Committee (May 3, 2016).** An individual representing the Aurora Public Schools testified in support of the bill. The committee referred the bill to the Senate Committee of the Whole with a recommendation that it be placed on the consent calendar.

**Senate second reading (May 3, 2016).** The Senate passed the bill on second reading with no amendments.

**Senate third reading (May 4, 2016).** The Senate passed the bill on third reading with no amendments.

**Senate consideration of House amendments (May 11, 2016).** The Senate voted to concur with House amendments and repassed the bill.

## House Action

**House Finance Committee (May 5, 2016).** Two individuals representing the Aurora Public Schools testified in support of the bill. The committee adopted amendments L.001, L.003, L.004, and L.005. Amendment L.001 requires a higher education institution that enters into an agreement to lease a building from a school district to notify the Capital Development Committee about the terms of the agreement. Amendment L.003 clarifies the language that must be included in a ballot question if a board of education seeks voter approval to issue bonds for the purpose of constructing a building to lease to a higher education institution. Amendment L.004 requires that the value of in-kind services provided by a higher education institution in return for lease space must be equal to the lease space cost and creates a reporting requirement. Amendment L.005 creates a requirement for the Commissioner of Education to approve letters of intent before a school district seeks voter approval to borrow under the bill. The committee referred the bill, as amended, to the House Committee of the Whole.

**House second reading (May 9, 2016).** The House adopted and amended the House Finance Committee report and passed the bill on second reading. Floor amendment 2 made clarifications to the amendments adopted by the House Finance Committee.

**House third reading (May 10, 2016).** The House passed the bill on third reading with no amendments.