

SENATE FILE NO. SF0046

School district facility lease fees-limitations.

Sponsored by: Select Committee on School Facilities

A BILL

for

1 AN ACT relating to school buildings; clarifying application
2 of required maintenance fees imposed by districts for
3 leased facilities; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 21-3-110(a)(x)(intro) is amended to
8 read:

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10 **21-3-110. Duties of boards of trustees.**

11

12 (a) The board of trustees in each school district
13 shall:

14

15 (x) Subject to review by the school facilities
16 commission under W.S. 21-15-115 for any project involving
17 state capital construction assistance, fix the site of each

1 school building and facility considering the needs of the
2 people of each portion of the district. If the district
3 enters into an agreement to lease buildings and facilities
4 owned by the district and the buildings and facilities are
5 included within the statewide database maintained by the
6 school facilities commission under W.S. 21-15-114(a)(vi),
7 the district shall, except as provided under W.S.
8 ~~21-15-109(c)(i)(B)~~ 21-15-109(c)(i)(A) and (B), ensure the
9 lease agreement requires sufficient payment from the lessee
10 to cover expenses necessary to adequately maintain the
11 facility or building in accordance with statewide adequacy
12 standards prescribed by the commission. ~~Except as provided~~
13 ~~under W.S. 21-15-109(c)(i)(B),~~ If the district enters into
14 an agreement to lease buildings and facilities under which
15 the district is the lessee and the building is to be used
16 for the provision of the required educational program
17 within the district, the lease agreement shall require the
18 lessor to adequately maintain the buildings and facilities
19 in accordance with standards prescribed by the commission.
20 If approved by the commission, the district shall be
21 reimbursed for the lease payment if the square footage of
22 the leased facility is not included within the district's
23 total square footage for purposes of major maintenance

1 computations under W.S. 21-15-109, subject to the
2 following:

3

4 **Section 2.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law
6 as provided by Article 4, Section 8 of the Wyoming
7 Constitution.

8

9 (END)