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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 897

February 16, 2009

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The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight

1.1 A bill for an act
1.2 relating to education; authorizing charter schools to lease district buildings;
1.3 amending Minnesota Statutes 2008, section 124D.10, subdivision 17.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2008, section 124D.10, subdivision 17, is amended to
1.6 read:

1.7 Subd. 17. **Leased space.** A charter school may lease space from a board eligible
1.8 to be a sponsor or other public or private nonprofit nonsectarian organization. A
1.9 school board, intermediate school district school board, or education district organized
1.10 under sections 123A.15 to 123A.19, must first offer school district buildings that are
1.11 unoccupied to charter schools to lease before offering the space to other entities for lease.
1.12 Notwithstanding any law to the contrary, the school board, intermediate school district
1.13 school board, and education district may refuse a charter school's offer if it is not a
1.14 competitive offer in the leasing market. If a charter school is unable to lease appropriate
1.15 space from an eligible board or other public or private nonprofit nonsectarian organization,
1.16 the school may lease space from another nonsectarian organization if the Department of
1.17 Education, in consultation with the Department of Administration, approves the lease.
1.18 If the school is unable to lease appropriate space from public or private nonsectarian
1.19 organizations, the school may lease space from a sectarian organization if the leased space
1.20 is constructed as a school facility and the Department of Education, in consultation with
1.21 the Department of Administration, approves the lease.

1.22 **EFFECTIVE DATE.** This section is effective July 1, 2009, and applies to leases
1.23 offered on or after that date.