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AB-591 School property: lease: county boards of education. (2017-2018)

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Assembly Bill No. 591

CHAPTER 125

An act to add Sections 1048 and 17407.7 to the Education Code, relating to school property.

[Approved by Governor July 24, 2017. Filed with Secretary of State July 24, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 591, O'Donnell. School property: lease: county boards of education.

Existing law authorizes the governing board of a school district to lease real property that belongs to the school district for a minimum rental of \$1 per year if the instrument by which the property is leased requires a building to be constructed by the lessee for use by the school district and title to the building vests in the school district at the end of the lease. Existing law also authorizes the governing board of a school district to enter into an agreement with the lowest responsible bidder for the construction of a building to be leased and used by the school district if the instrument provides that title to the building and site shall vest in the school district at the end of the lease. Existing law prohibits the governing board of a school district from entering into an agreement with an entity pursuant to the above-specified provisions unless the entity provides an enforceable commitment that the entity and its subcontractors will use a skilled and trained workforce to perform the work.

This bill would make all of the requirements in the provisions specified above applicable to an agreement entered into by a county board of education, county office of education, or county superintendent of schools to let to a person, firm, or corporation any real property that belongs to the county office of education or a school district that requires the lessee to construct a building on demised premises for use by the county office of education or a school district.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1048 is added to the Education Code, to read:

1048. If a county board of education, county office of education, or county superintendent of schools enters into an agreement to let to any person, firm, or corporation any real property that belongs to the county office of education or a school district and requires the lessee to construct on the demised premises or provide for the construction of a building for use by the county office of education or a school district, the county board of education, county office of education, or county superintendent of schools shall comply with all requirements applicable to the governing board of a school district pursuant to Sections 17406, 17407, and 17407.5.

SEC. 2. Section 17407.7 is added to the Education Code, to read:

17407.7. The requirements of Sections 17406, 17407, and 17407.5 shall apply to any agreement entered into by a county board of education, county office of education, or county superintendent of schools to let to any person, firm, or corporation any real property that belongs to the county office of education or a school district and requires the lessee to construct on the demised premises or provide for the construction of a building thereon for use by the county office of education or a school district.