

18A:20-9.2

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 18A:20-9.2 et seq.

(Handicapped--
non-profit private
schools)

LAWS OF: 1990

CHAPTER: 35

Bill No: S2304

Sponsor(s): Rand

Date Introduced: February 8, 1990

Committee: Assembly: Education

Senate: Education

Amended during passage: Yes Amendments during passage
denoted by statements.

Date of Passage: Assembly: April 30, 1990

Senate: March 29, 1990

Date of Approval: June 11, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

P.L.1990, CHAPTER 35, approved June 11, 1990
1990 Senate No. 2304 (First Reprint)

1 AN ACT concerning the sale of school district property and
2 supplementing chapter 20 of Title 18A of the New Jersey
3 Statutes.
4

5 BE IT ENACTED by the Senate and General Assembly of the
6 State of New Jersey:

7 1. Whenever any board of education shall by resolution
8 determine that any tract of land is no longer desirable or
9 necessary for public school purposes it may authorize the
10 conveyance thereof, at no less than the fair market price,
11 whether there is a building thereon or not, to a nonprofit private
12 school for the handicapped duly incorporated under the laws of
13 the State of New Jersey. As used in this section, market price
14 shall equal the median of two or more appraisals conducted by
15 qualified real estate appraisers. The president and secretary of
16 the board shall be authorized to execute and deliver a conveyance
17 for the same in the name and under the seal of the board, which
18 conveyance may, in the discretion of the board, be made subject
19 to a condition or limitation that said land shall be used by such
20 nonprofit private school for the handicapped and in the event that
21 the property shall cease to be used for the purposes contemplated
22 by this section, such property shall ¹first¹ be offered for resale
23 to the board of education making the conveyance thereof
24 hereunder at the ¹[same price as the conveyance] market price
25 current at the time of resale¹.

26 2. This act shall take effect immediately.
27
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29 EDUCATION
30

31 Permits sale of school property to nonprofit private schools for
32 the handicapped without competitive bidding.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted, and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:
1 Senate SED committee amendments adopted March 5, 1990.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 2304

STATE OF NEW JERSEY

DATED: APRIL 5, 1990

The Assembly Education Committee favorably reports Senate, No. 2304 (1R).

This bill would allow a board of education to sell school property no longer necessary for public school purposes to a private non-profit school for the handicapped. The school property could not be conveyed for less than the fair market price, which would be determined by at least two appraisers. Also, if at any time after the sale the school property is no longer used for a school for the handicapped, the board of education could buy the property back at the then current market price. Currently, such sales must take place under a competitive bidding process. Exceptions to the bidding process are permitted when the property is no longer going to be used for school purposes, and is going to be sold for nominal consideration to certain organizations such as veterans organizations and nonprofit hospitals.

This bill is identical to Assembly, No. 1391 with Assembly Committee amendments.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2304

with Senate committee amendments

STATE OF NEW JERSEY

DATED: MARCH 5, 1990

The Senate Education Committee favorably reports this bill with committee amendments.

As amended, this bill would allow a board of education to sell school property no longer necessary for public school purposes to a private non-profit school for the handicapped. The school property could not be conveyed for less than the fair market price, which would be determined by at least two appraisers. Also, if at any time after the sale the school property is no longer used for a school for the handicapped, the board of education could buy the property back at the then current market price. Currently, such sales must take place under a competitive bidding process. Exceptions to the bidding process are permitted when the property is no longer going to be used for school purposes, and is going to be sold for nominal consideration to certain organizations such as veterans organizations and nonprofit hospitals.

The committee amended the bill to clarify that, in the event of resale of the property by the private, nonprofit school, the board of education would have the right of first refusal. The amendments also provide that the resale would be at the market price current at the time of resale, rather than at the amount of the original conveyance to the private school.

SENATE, No. 2304

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1990

By Senator RAND

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18 conveyance may, in the discretion of the board, be made subject
19 to a condition or limitation that said land shall be used by such
20 nonprofit private school for the handicapped and in the event that
21 the property shall cease to be used for the purposes contemplated
22 by this section, such property shall be offered for resale to the
23 board of education making the conveyance thereof hereunder at
24 the same price as the conveyance.

25 2. This act shall take effect immediately.

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STATEMENT

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31 property no longer necessary for public school purposes to a
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