

18A: 20-8.2
LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:20-8.2

(Boards of
Education--real
estate-convey to
senior citizens
groups)

LAWS OF: 1988

CHAPTER: 161

Bill No: A1743

Sponsor(s): Marsella

Date Introduced: May 16, 1988

Committee: Assembly: Education

Senate: Education

Amended during passage: No Assembly Committee statement
enacted.

Date of Passage: Assembly: June 2, 1988

Senate: October 17, 1988

Date of Approval: November 16, 1988

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

See newspaper clipping--attached:

"Sunday selling bill for schools is passed." 10-18-88 Bergen Record

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1743
STATE OF NEW JERSEY

ADOPTED MAY 16, 1988

Sponsored by Assemblyman MARSELLA

1 AN ACT concerning the lease of certain real estate by boards of
education and amending P.L. 1978, c. 91.

3

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

1. Section 1 of P.L. 1978, c. 91 (C. 18A:20-8.2) is amended to
7 read as follows:

1. a. Whenever any board of education shall by resolution
9 determine that any tract of land, whether there is a building
thereon or not, or part or all of a school building, is not necessary
11 for school purposes, but which it does not desire to dispose of for
reason that the property may, at some future time, again be
13 required for school purposes, it may authorize the lease thereof
for a term extending beyond the official life of the board;
15 provided that the noneducational uses of such building or tract of
land are compatible with the establishment and operation of a
17 school, as determined by the Commissioner of Education, if joint
occupancy of such site is considered. The lease shall be binding
19 upon the successor board as follows:

(1) After advertisement of the request for bids to lease to the
21 highest bidder in a newspaper published in the school district, or,
if none is published therein, then in a newspaper circulating in the
23 district in which the same is situate, at least once a week for two
weeks prior to the date fixed for the receipt and opening of bids,
25 unless:

(2) The same is leased to the federal government, State, a
27 political subdivision thereof, another school district, any board,
body or commission of a municipality within the school district,
29 any volunteer fire company or rescue squad actively engaged in
the protection of life and property and duly incorporated under
31 the laws of the State of New Jersey, or to any American Legion
post, Veterans of Foreign Wars, or other recognized veterans'
33 organization of the United States of America, located in the

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.

1 municipality or the county, as a meeting place for such
2 organization, or to a nonprofit child care service organization
3 duly incorporated under the laws of the State of New Jersey, or
4 to a nonprofit hospital duly licensed under the laws of the State
5 of New Jersey, or to a nonprofit organization duly licensed under
6 the laws of the State of New Jersey to provide emergency shelter
7 for the homeless, or to a nonprofit senior citizen organization, in
8 which case the same may be leased by private agreement for a
9 nominal fee without advertisement for bids.

10 b. Any lease in excess of five years shall be approved by the
11 Commissioner of Education.

(cf: P.L. 1987, c. 65, s. 2)

12 2. This act shall take effect immediately.

15

SENIOR CITIZENS

17

Education

18 Permits local boards of education to lease real estate to
19 nonprofit senior citizens' organizations for a nominal fee.

ASSEMBLY, No. 1743

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblyman MARSELLA

1 AN ACT concerning the sale of certain real estate by boards of
education and amending N.J.S. 18A:20-9.

3

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

1. N.J.S. 18A:20-9 is amended to read as follows:

7 18A:20-9. Whenever any board of education shall by
resolution determine that any tract of land is no longer desirable
9 or necessary for school purposes it may authorize the
conveyance thereof, whether there is a building thereon or not,
11 for a nominal consideration, to the municipality or any board,
body or commission thereof, or to any volunteer fire company or
13 rescue squad actively engaged in the protection of life and
property and duly incorporated under the laws of the State of
15 New Jersey, or to any American Legion post, Veterans of
Foreign Wars, or other recognized veterans' organization of the
17 United States of America, located in the municipality or the
county, as a meeting place for such organization, or to a
19 nonprofit child care service organization duly incorporated
under the laws of the State of New Jersey, or to a nonprofit
21 hospital duly licensed under the laws of the State, or to a
nonprofit senior citizens' organization for use as a meeting
23 place in which various programs are to be conducted to enhance
the health and well-being of senior citizens. The president and
25 secretary of the board shall be authorized to execute and deliver
a conveyance for the same in the name and under the seal of the
27 board, which conveyance may, in the discretion of the board, be
made subject to a condition or limitation that said land shall be
29 used by such municipality, board, body or commission thereof
for public purposes and by any such fire company for fire
31 company purposes or by such rescue squad for rescue squad
purposes and in such case should such property cease to be used
33 for such purposes or if any property conveyed pursuant to this
section to any veterans' organization, [or] to any child care

1 service organization, [or] to any nonprofit hospital, or any senior
3 citizens' organization cease to be used for any of the purposes
5 education making the conveyance thereof hereunder.

2. This act shall take effect immediately.

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STATEMENT

11 This bill allows boards of education to convey real estate no
13 longer necessary for school purposes to nonprofit senior
15 citizens' organizations at a nominal price. The senior citizens'
17 organization is required to use the property as a meeting place
or a place in which to conduct programs intended to enhance the
health and wellbeing of seniors.

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SENIOR CITIZENS

Education

21

23 Permits local boards of education to convey certain real estate
to nonprofit senior citizens' organizations at a nominal price.

ASSEMBLY EDUCATION COMMITTEE
STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1743
STATE OF NEW JERSEY

DATED: MAY 2, 1988

The Assembly Education Committee reports favorably this Assembly Committee Substitute for Assembly, No. 1743.

This committee substitute allows boards of education to lease real estate no longer necessary for school purposes to nonprofit senior citizens' organizations for a nominal fee.

This bill amends section 1 of P.L. 1978, c. 91 (C. 18A:20-8.2) which permits the lease of school property for a nominal fee to the federal or State government, a municipality or any municipal board, body or commission, or to any volunteer fire company or rescue squad, veterans' organization, nonprofit child care organization or nonprofit hospital. This statute was last amended by P.L. 1987, c. 65 which added nonprofit organizations operating shelters for the homeless to the list of groups which may lease excess school board property for a nominal fee.

SENATE EDUCATION COMMITTEE
STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1743
STATE OF NEW JERSEY

DATED: SEPTEMBER 29, 1988

The Senate Education Committee favorably reports this bill without committee amendments.

This committee substitute allows boards of education to lease real estate no longer necessary for school purposes to nonprofit senior citizens' organizations for a nominal fee.

This bill amends section 1 of P.L.1978, c.91 (C.18A:20-8.2) which permits the lease of school property for a nominal fee to the federal or State government, a municipality or any municipal board, body or commission, or to any volunteer fire company or rescue squad, veterans' organization, nonprofit child care organization or nonprofit hospital. This statute was last amended by P.L.1987, c.65 which added nonprofit organizations operating shelters for the homeless to the list of groups which may lease excess school board property for a nominal fee.