

Regular Session, 2014

HOUSE BILL NO. 522

BY REPRESENTATIVE JAMES

SCHOOLS/DISTRICTS: Provides relative to the use and control of school property by the Recovery School District

1 AN ACT

2 To amend and reenact R.S. 17:1990(B)(4)(a), relative to the Recovery School District; to  
3 provide with respect to the use of school buildings, facilities, and property in certain  
4 circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:1990(B)(4)(a) is hereby amended and reenacted to read as  
7 follows:

8 §1990. Recovery School District; creation; governance; operation

9 \* \* \*

10 B.

11 \* \* \*

12 (4)(a) The school district shall have the right to use any school building and  
13 all facilities and property otherwise part of the school and recognized as part of the  
14 facilities or assets of the school prior to its placement in the school district and shall  
15 have access to such additional facilities as are typically available to the school, its  
16 students, and faculty and staff prior to its placement in the school district. Such use  
17 shall be unrestricted, except that the school district shall be responsible for and  
18 obligated to provide for routine maintenance and repair such that the facilities and  
19 property are maintained in as good an order as when the right of use was acquired  
20 by the district. The right of use and access granted to the school district by this

1           Subparagraph applies only while the facilities and assets are used as a school; if a  
2           school is closed after its placement in the school district, the right to use buildings,  
3           facilities, and property recognized as part of the facilities or assets of the school prior  
4           to its placement in the school district thereby returns to the prior system. There shall  
5           be no requirement for the district to provide for the type of extensive repair to  
6           buildings or facilities that would be considered to be a capital expense. Such  
7           extensive repairs shall be provided by the governing authority of the city, parish, or  
8           other local public school system or other public entity which is responsible for the  
9           facility.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

James

HB No. 522

**Abstract:** Provides that the use of a school's buildings, facilities, and property by the Recovery School District terminates if the school is closed.

Present law provides for the creation, governance, and operation of the Recovery School District (the school district). Further provides that the school district is established to provide an appropriate education for children attending any public elementary or secondary school operated under the jurisdiction and direction of any city, parish, or other local public school board or any other public entity which has been transferred to its jurisdiction pursuant to present law.

Present law provides that the school district shall have the right to use any school building and all facilities and property otherwise part of the school and shall have access to such additional facilities as are typically available to the school, its students, faculty and staff. Further provides that such use shall be unrestricted, except that the school district shall be obligated to provide for routine maintenance and repair such that the facilities and property are maintained in as good an order as when the right of use was acquired by the district. Also provides that there shall be no requirement for the district to provide for the type of extensive repair to buildings or facilities that would be considered to be a capital expense. Such extensive repair shall be provided by the prior system.

Proposed law provides that if the school is closed after its placement in the school district, the prior system thereby acquires the right to use any school building and all facilities and property otherwise part of the school. Otherwise retains present law.

(Amends R.S. 17:1990(B)(4)(a))