

Conference Engrossed

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 254

SENATE BILL 1250

AN ACT

AMENDING SECTION 15-1105, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT FUNDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-1105, Arizona Revised Statutes, is amended to
3 read:

4 15-1105. Lease of school property; civic center school fund;
5 reversion to school plant fund; definitions

6 A. The governing board, or the superintendent or chief administrative
7 officer with the approval of the governing board, may lease SCHOOL PROPERTY,
8 INCLUDING school buildings, grounds, buses, AND equipment and other school
9 property to any person, group or organization for any LAWFUL PURPOSE,
10 INCLUDING recreational, educational, political, economic, artistic, moral,
11 scientific, social, RELIGIOUS or other civic OR GOVERNMENTAL purpose in the
12 interest of the community, including extended day resource programs. The
13 governing board, superintendent or chief administrative officer shall charge
14 a reasonable use fee for the lease of the school property, which fee may
15 include goods contributed or services rendered by the person, group or
16 organization to the school district.

17 B. The governing board, or the superintendent or chief administrative
18 officer with the approval of the governing board, may permit the
19 uncompensated use of school buildings, grounds, buses, equipment and other
20 school property by any school related group, INCLUDING STUDENT POLITICAL
21 ORGANIZATIONS or by any organization whose membership is open to the public
22 and whose activities promote the educational function of the school district
23 as determined in good faith by the school district's governing board, or the
24 superintendent or chief administrative officer with the approval of the
25 governing board, including extended day resource programs, except as provided
26 in section 15-511.

27 C. A PERSON, GROUP OR ORGANIZATION THAT IS OTHERWISE ELIGIBLE TO LEASE
28 SCHOOL PROPERTY SHALL NOT BE DENIED USE OF OR CHARGED DIFFERENTIATED FEES FOR
29 SCHOOL PROPERTY ON THE BASIS OF THE PERSON, GROUP OR ORGANIZATION'S BELIEFS,
30 EXPRESSION OF BELIEFS OR EXERCISE OF THE RIGHTS OF ASSOCIATION THAT ARE
31 PROTECTED UNDER THE LAWS OF THIS STATE, THE CONSTITUTION OF ARIZONA, THE LAWS
32 OF THE UNITED STATES OR THE UNITED STATES CONSTITUTION.

33 ~~C.~~ D. THE GOVERNING BOARD SHALL ANNUALLY APPROVE A FEE SCHEDULE FOR
34 THE LEASE OF SCHOOL PROPERTY. THE FEE SCHEDULE SHALL INCLUDE A DESIGNATION
35 OF THE PERSONS, GROUPS OR ORGANIZATIONS THAT SHALL HAVE UNCOMPENSATED USE OF
36 THE SCHOOL PROPERTY, AND A PROCEDURE FOR DETERMINING THE VALUE OF GOODS AND
37 SERVICES BEING PROVIDED AS COMPENSATION FOR THE USE OF SCHOOL PROPERTY. The
38 governing board, superintendent or chief administrative officer shall require
39 proof of liability insurance for such use or lease of school property.

40 ~~D.~~ E. Except as provided in section 15-1102, monies received for and
41 derived from the use or lease of school property under this section shall be
42 promptly deposited with the county treasurer who shall credit the deposits
43 to the civic center school fund of the respective school district. Monies
44 placed to the credit of a civic center school fund may be expended for civic
45 center school purposes by warrants drawn upon order of the school district

1 governing board, or the superintendent or chief administrative officer with
2 the approval of the governing board. The civic center school fund of a
3 school district or multiple school district civic center school program is
4 a continuing fund not subject to reversion, except upon termination of a
5 civic center school program. Upon termination of a civic center school
6 program any remaining funds shall revert to the school plant fund of the
7 school district or districts.

8 E. F. For the purposes of this section: —

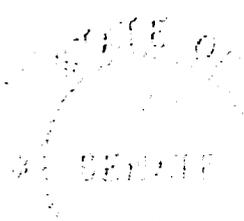
9 1. "EDUCATIONAL FUNCTION" MEANS USES THAT ARE DIRECTLY RELATED TO THE
10 EDUCATIONAL MISSION OF THE SCHOOL DISTRICT AS ADOPTED BY THE SCHOOL DISTRICT
11 GOVERNING BOARD AND INCLUDES PARENT-TEACHER ORGANIZATIONS, YOUTH
12 ORGANIZATIONS AND SCHOOL EMPLOYEE ORGANIZATIONS.

13 2. "Extended day resource programs" means activities offered on school
14 property before or after school or at times when school is not customarily
15 in session for children who are of the age required for kindergarten programs
16 and grades one through eight. The program may be offered for children who
17 are of the age required for a kindergarten program or for one grade or for
18 any combination of kindergarten programs and grades. Activities may include
19 physical conditioning, tutoring, supervised homework or arts activities.

20 3. "REASONABLE USE FEE" MEANS AN AMOUNT THAT IS AT LEAST EQUAL TO THE
21 SCHOOL DISTRICT'S COST FOR UTILITIES, SERVICES, SUPPLIES OR PERSONNEL THAT
22 THE SCHOOL PROVIDES TO THE LESSEE PURSUANT TO THE TERMS OF THE LEASE.

APPROVED BY THE GOVERNOR MAY 26, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 27, 2003.



ON RECONSIDERATION

Passed the House April 15, 2003,

Passed the Senate March 27, 2003

by the following vote: 38 Ayes,

by the following vote: 17 Ayes,

19 Nays, 3 Not Voting

11 Nays, 2 Not Voting

Jake Flake
Speaker of the House

Ken Bennett
President of the Senate

Norman L. Foye
Chief Clerk of the House

Charmian Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

~~This Bill was received by the Governor this
_____ day of _____, 20____,
at _____ o'clock _____ M.

Secretary to the Governor~~

~~Approved this _____ day of
_____, 20____,
at _____ o'clock _____ M.

Governor of Arizona~~

S.B. 1250

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

~~This Bill was received by the Secretary of State
this _____ day of _____, 20____,
at _____ o'clock _____ M.

Secretary of State~~

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 19, 2003,

by the following vote: 43 Ayes,

12 Nays, 5 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 15, 2003,

by the following vote: 22 Ayes,

5 Nays, 3 Not Voting

Ken Bennett
President of the Senate

Charmion Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 20 day of May, 2003,

at 12:30 o'clock P M.

Judith Green
Secretary to the Governor

Approved this 26 day of

May, 2003,

at 11⁰⁵ o'clock A. M.

J. R. Norwalk
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 27 day of May, 2003,

at 2:20 o'clock P. M.

Janice K. Brewer
Secretary of State

S.B. 1250