

Regular Session, 2011

ACT No. 393

HOUSE BILL NO. 368

BY REPRESENTATIVE ARNOLD

1 AN ACT

2 To enact R.S. 41:905, relative to the Orleans Parish School Board; to provide for the sale of
3 unused immovable school property to public bodies without the necessity of
4 procedures otherwise provided by law; to provide that the sale shall be for not less
5 than the property's appraised value; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 41:905 is hereby enacted to read as follows:

11 §905. Sale of unused school property by Orleans Parish School Board to public
12 bodies

13 A. For purposes of this Section, and notwithstanding any provision of this
14 Chapter to the contrary, unless the context clearly requires otherwise, the following
15 terms shall mean:

16 (1) "Public body" shall mean the state of Louisiana or any department,
17 agency, or instrumentality, or official thereof, any political subdivision of the state
18 or any department, agency, instrumentality or official thereof, or any other unit of
19 state or local government in the state.

1 (2) "School board" shall mean the Orleans Parish School Board.

2 (3) "School property" shall mean any school property or other immovable
3 property under the control of the school board, including but not limited to sixteenth
4 section lands and school indemnity lands.

5 B. Notwithstanding the requirements of this Chapter regarding the sale of
6 school property, whenever the school board determines that school property is no
7 longer needed for school purposes, including those purposes set forth in R.S.
8 17:3982(B), and that the best interests of the school system would be served by the
9 sale of such property, the school board may sell such property, without meeting the
10 requirements of this Chapter or any other provision of law, to a public body as
11 provided in this Section. If the school board determines pursuant to this Section that
12 any sixteenth section lands or indemnity school lands shall be sold, the sale shall be
13 executed by the state land office on behalf of the school board.

14 C. The property sold under the authority of this Section shall be sold at a
15 price that is not less than the appraised value of the property. The school board shall
16 establish the appraised value by obtaining an appraisal of the property to be sold
17 from a certified, licensed appraiser not more than six months prior to the date of the
18 sale. The appraisal shall be available for public inspection. The cost of the appraisal
19 shall be borne by the public body that purchases the property.

20 D. Notwithstanding any other provision of law to the contrary, proceeds
21 from a sale as authorized by this Section shall be paid over to the school board and
22 shall be used for the support of schools of the school system and, in the case of the
23 sale of sixteenth section lands or indemnity school lands, for the purposes of the
24 dedication of such lands as provided by law.

25 Section 2. This Act shall become effective upon signature by the governor or, if not
26 signed by the governor, upon expiration of the time for bills to become law without signature
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____