

ASSEMBLY, No. 4381

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MAY 16, 2024

Sponsored by:
Assemblywoman LUANNE M. PETERPAUL
District 11 (Monmouth)

SYNOPSIS

Permits boards of education to lease certain school property to federally qualified health centers without bidding.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the lease of school lands and amending
2 P.L.1978, c.91 (C.18A:20-8.2).

3

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

6

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

9 1. a. Except as otherwise provided pursuant to section 14 of
10 P.L.2007, c.137 (C.18A:7G-45), whenever any board of education
11 shall by resolution determine that any tract of land, whether there is
12 a building thereon or not, or part or all of a school building, is not
13 necessary for school purposes, but which it does not desire to
14 dispose of for reason that the property may, at some future time,
15 again be required for school purposes, it may authorize the lease
16 thereof for a term extending beyond the official life of the board;
17 provided that the noneducational uses of such building or tract of
18 land are compatible with the establishment and operation of a
19 school, as determined by the Commissioner of Education, if joint
20 occupancy of such site is considered. A board of education is
21 authorized to use electronic procurement practices in accordance
22 with the provisions of P.L.2018, c.156 (C.40A:11-4.7 et al.) for the
23 advertisement of lease of land, and any building on that land. The
24 lease shall be binding upon the successor board as follows:

25 (1) After advertisement of the request for bids to lease to the
26 highest bidder in a newspaper published in the school district, or, if
27 none is published therein, then in a newspaper circulating in the
28 district in which the same is situate, at least once a week for two
29 weeks prior to the date fixed for the receipt and opening of bids,
30 and, at the discretion of the board of education, electronic
31 advertisement, unless:

32 (2) The same is leased to the federal government, State, a
33 political subdivision thereof, another school district, any board,
34 body or commission of a municipality within the school district, any
35 volunteer fire company or rescue squad actively engaged in the
36 protection of life and property and duly incorporated under the laws
37 of the State of New Jersey, or to any American Legion post,
38 Veterans of Foreign Wars, or other recognized veterans'
39 organization of the United States of America, located in the
40 municipality or the county, as a meeting place for such
41 organization, or to a nonprofit child care service organization duly
42 incorporated under the laws of the State of New Jersey, or to a
43 nonprofit hospital duly licensed under the laws of the State of New
44 Jersey, or to a nonprofit organization duly licensed under the laws
45 of the State of New Jersey to provide emergency shelter for 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 homeless, or to a nonprofit senior citizen organization, or to a
2 nonprofit historic preservation organization duly incorporated under
3 the laws of the State of New Jersey, in which case the same may be
4 leased by private agreement for a nominal fee without
5 advertisement for bids, or to a federally qualified health center.

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

8 (cf: P.L.2018, c.156, s.9)

9
10 2. This act shall take effect immediately.

11
12
13 STATEMENT

14
15 This bill adds federally qualified health centers to the list of
16 entities to which a local board of education may lease school
17 buildings and property, no longer necessary for school purposes, for
18 a nominal fee and without following the competitive bidding
19 process.

20 Other entities already on the list include federal, State, and local
21 governmental units, volunteer fire companies and rescue squads,
22 veterans and senior citizens organizations, and certain nonprofit
23 organizations.