
SUBSTITUTE HOUSE BILL 1971

State of Washington

57th Legislature

2001 Regular Session

By House Committee on Education (originally sponsored by Representatives Quall and Talcott)

Read first time . Referred to Committee on .

1 AN ACT Relating to allowing state certified appraisers to appraise
2 school district properties; and amending RCW 28A.335.090 and
3 28A.335.120.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.335.090 and 1995 c 358 s 1 are each amended to
6 read as follows:

7 (1) The board of directors of each school district shall have
8 exclusive control of all school property, real or personal, belonging
9 to the district; said board shall have power, subject to RCW
10 28A.335.120, in the name of the district, to convey by deed all the
11 interest of their district in or to any real property of the district
12 which is no longer required for school purposes. Except as otherwise
13 specially provided by law, and RCW 28A.335.120, the board of directors
14 of each school district may purchase, lease, receive and hold real and
15 personal property in the name of the district, and rent, lease or sell
16 the same, and all conveyances of real estate made to the district shall
17 vest title in the district.

18 (2) Any purchase of real property by a school district shall be
19 preceded by a market value appraisal by a professionally designated

1 real estate appraiser as defined in RCW 74.46.020 or by a general real
2 estate appraiser certified under chapter 18.140 RCW who was selected by
3 the board of directors.

4 **Sec. 2.** RCW 28A.335.120 and 1995 c 358 s 2 are each amended to
5 read as follows:

6 (1) The board of directors of any school district of this state
7 may:

8 (a) Sell for cash, at public or private sale, and convey by deed
9 all interest of the district in or to any of the real property of the
10 district which is no longer required for school purposes; and

11 (b) Purchase real property for the purpose of locating thereon and
12 affixing thereto any house or houses and appurtenant buildings removed
13 from school sites owned by the district and sell for cash, at public or
14 private sale, and convey by deed all interest of the district in or to
15 such acquired and improved real property.

16 (2) When the board of directors of any school district proposes a
17 sale of school district real property pursuant to this section and the
18 value of the property exceeds seventy thousand dollars, the board shall
19 publish a notice of its intention to sell the property. The notice
20 shall be published at least once each week during two consecutive weeks
21 in a legal newspaper with a general circulation in the area in which
22 the school district is located. The notice shall describe the property
23 to be sold and designate the place where and the day and hour when a
24 hearing will be held. The board shall hold a public hearing upon the
25 proposal to dispose of the school district property at the place and
26 the day and hour fixed in the notice and admit evidence offered for and
27 against the propriety and advisability of the proposed sale.

28 (3) The board of directors of any school district desiring to sell
29 surplus real property shall publish a notice in a newspaper of general
30 circulation in the school district. School districts shall not sell
31 the property for at least forty-five days following the publication of
32 the newspaper notice.

33 (4) Private schools shall have the same rights as any other person
34 or entity to submit bids for the purchase of surplus real property and
35 to have such bids considered along with all other bids.

36 (5) Any sale of school district real property authorized pursuant
37 to this section shall be preceded by a market value appraisal by a
38 professionally designated real estate appraiser as defined in RCW

1 74.46.020 or a general real estate appraiser certified under chapter
2 18.140 RCW selected by the board of directors and no sale shall take
3 place if the sale price would be less than ninety percent of the
4 appraisal made by the professionally designated real estate appraiser:
5 PROVIDED, That if the property has been on the market for one year or
6 more the property may be reappraised and sold for not less than
7 seventy-five percent of the reappraised value with the unanimous
8 consent of the board.

9 (6) If in the judgment of the board of directors of any district
10 the sale of real property of the district not needed for school
11 purposes would be facilitated and greater value realized through use of
12 the services of licensed real estate brokers, a contract for such
13 services may be negotiated and concluded: PROVIDED, That the use of a
14 licensed real estate broker will not eliminate the obligation of the
15 board of directors to provide the notice described in this section:
16 PROVIDED FURTHER, That the fee or commissions charged for any broker
17 services shall not exceed seven percent of the resulting sale value for
18 a single parcel: PROVIDED FURTHER, That any professionally designated
19 real estate appraiser as defined in RCW 74.46.020 or a general real
20 estate appraiser certified under chapter 18.140 RCW selected by the
21 board to appraise the market value of a parcel of property to be sold
22 may not be a party to any contract with the school district to sell
23 such parcel of property for a period of three years after the
24 appraisal.

25 (7) If in the judgment of the board of directors of any district
26 the sale of real property of the district not needed for school
27 purposes would be facilitated and greater value realized through sale
28 on contract terms, a real estate sales contract may be executed between
29 the district and buyer: PROVIDED, That the terms and conditions of any
30 such sales contract must comply with rules and regulations of the state
31 board of education, herein authorized, governing school district real
32 property contract sales.

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