

BILL ANALYSIS

Senate Research Center
79R4716 SLO-D

S.B. 842
By: Lindsay
Education
3/22/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Many schools and school districts either do not allow the use of their facilities or charge a high fee for such use. Most non-profit organizations are thus unable to use the facilities for after-school activities in which the school district's students participate. After-school activities provide a valuable service to children, parents, and communities by building a child's self esteem, preventing obesity, and fostering leadership abilities among participants.

As proposed, S.B. 842 requires school districts to accommodate non-profit organizations, to the extent possible, by making district property available for after-school activities. In order to qualify as a non-profit, the organization is required to be tax exempt under Section 501(a) of the Internal Revenue Code. S.B. 842 also requires activities to be acceptable and beneficial for school-aged children and provides that the activities cannot disrupt school activities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 33, Education Code, by adding Section 33.905, as follows:

Sec. 33.905. USE OF SCHOOL DISTRICT REAL PROPERTY BY NONPROFIT ORGANIZATION. (a) Requires a school district, to the extent reasonable, to accommodate an organization in making district real property, including school facilities and grounds, available to the organization for conducting activities for school-aged children if the district's superintendent or designee determines that the organization qualifies for a tax exemption under Section 501(a), Internal Revenue Code of 1986, the activities are acceptable and beneficial for school-aged children, and conducting the activities on district property will not disrupt district activities.

(b) Prohibits a school district from charging a nonprofit organization for the use of district property to conduct activities under this section an amount greater than the actual cost to the district for making the property available.

SECTION 2. Effective date: September 1, 2005.