

House Bill 2638

Sponsored by Representative LEVY B, Senator HANSELL; Representative HIEB, Senator WEBER (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs district school boards to ensure that buildings regularly used by students have proper heating, air conditioning and ventilation systems to provide temperatures within acceptable range for learning and safety.

Requires compliance by January 1, 2029.

A BILL FOR AN ACT

1
2 Relating to temperatures in school buildings; creating new provisions; and amending ORS 332.155.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 332.155 is amended to read:

5 332.155. A district school board:

6 (1) May furnish, equip, repair, lease, purchase and build schoolhouses, including high schools,
7 junior high schools, career and technical education schools, gymnasiums, houses for teachers and
8 other employees and like buildings, and locate, buy and lease lands for all school purposes. Leases
9 authorized by this subsection include lease-purchase agreements under which the district may ac-
10 quire ownership of the leased property at a nominal price. Leases and lease-purchase agreements
11 may be for a term of up to 30 years.

12 (2) May contract for the removal or containment of asbestos substances in school buildings and
13 for repairs made necessary by the removal or containment. Contracts authorized by this section may
14 be for a term exceeding one year.

15 (3) May construct or cooperate in the construction of facilities for educator preparation pro-
16 viders on state or district owned lands, for any public university listed in ORS 352.002 that is in or
17 contiguous to the district, and to expend district funds for those activities.

18 (4) May acquire personal property by a lease-purchase agreement or contract of purchase for a
19 term exceeding one year. A lease-purchase agreement is one in which the rent payable by the dis-
20 trict is expressly agreed to have been established to reflect the savings resulting from the exemption
21 from taxation, and the district is entitled to ownership of the property at a nominal or other price
22 that is stated or determinable by the terms of the agreement and was not intended to reflect the true
23 value of the property.

24 (5) May lease, sell and convey all property of the district as may not, in the judgment of the
25 district school board, be required for school purposes.

26 (6) May sell property of the district in transactions whereby the district has the right to lease,
27 occupy or reacquire the property following the sale or have facilities constructed on the property
28 or furnished to the specifications of the district. The construction or furnishing of the facilities shall
29 be subject to:

30 (a) ORS chapter 279A, except ORS 279A.125 and 279A.250 to 279A.290;

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (b) ORS chapter 279B, except ORS 279B.235, 279B.240, 279B.270, 279B.275 and 279B.280; and

2 (c) ORS 279C.005, 279C.100 to 279C.125 and 279C.300 to 279C.470.

3 (7) Shall furnish the schools with supplies, equipment, apparatus and services essential to
4 meeting the requirements of a standard school and may furnish other supplies, equipment, apparatus
5 and services as the board considers advisable.

6 (8) May construct, purchase or lease in cooperation with other school districts or community
7 college districts facilities for secondary career and technical education programs for pupils of more
8 than one district and may furnish or cooperate in furnishing supplies and equipment for the facili-
9 ties, to be financed in the same manner as other school buildings and supplies are financed.

10 (9) May purchase real property upon a contractual basis when the period of time allowed for
11 payment under the contract does not exceed 30 years.

12 (10) May purchase relocatable classrooms and other relocatable structures in installment
13 transactions in which deferred installments of the purchase price are payable over not more than
14 10 years from the date the property is delivered to the district for occupancy and are secured by a
15 security interest in such property. Transactions under this subsection may take the form of, but are
16 not limited to, lease-purchase agreements.

17 (11) May enter into rental or lease-purchase agreements covering motor vehicles operated by the
18 district.

19 (12) May enter into transactions that are expected to reduce the cost to the district for school
20 facilities, including:

21 (a) Entering into an agreement or taking any other action to allow the district to use state or
22 federal tax credits or state or federal funding sources;

23 (b) Entering into a lease or sublease, partnership agreement or other contract for property that
24 is financed with general obligation bond proceeds or other district funds; or

25 (c) Loaning or otherwise contributing general obligation bond proceeds or other district funds
26 to transactions authorized by this subsection.

27 **(13) Shall ensure that buildings regularly used by students have proper heating, air con-**
28 **ditioning and ventilation systems to provide temperatures within an acceptable range, as**
29 **identified by the State Board of Education by rule, for learning and safety when students are**
30 **in the buildings.**

31 **SECTION 2. A district school board must comply with the requirements specified in ORS**
32 **332.155 (13) no later than January 1, 2029.**