

HB 2172 -- PROPERTY USED BY SCHOOLS  
SPONSOR: Terry

This bill prohibits cities, counties, and school districts, from adopting or enforcing any ordinance, policy, resolution, deed restriction, property-use restriction, or other such restriction that prevents property they sell, lease, or transfer from being used for any lawful educational purpose by a charter school.

The bill also prohibits any deed restriction or other such restriction that limits property to specific non-educational uses. Any existing restriction that bars property previously used for educational purposes from being used for future educational purposes is void.

Any ordinance, policy, regulation, deed, use restriction, or contract made in violation of this bill is void from its inception.

The bill provides that school districts that attempt to lease or sell an unused facility must offer the right of first refusal to public entities. Districts must provide public notice on the district website including the square footage, contact information, and expiration date of right of first refusal which must be 60 days from the first notice.

The bill outlines conditions for the selling or leasing of unused facilities to public entities and provides public entities with six months from making a written offer to complete a purchase or lease. If a public entity plans on selling an unused facility it must first offer the facility to the district from which it was purchased for first refusal.

This is similar to SB 1273 (2026).