

HCS HBs 2404 & 2172 -- PROPERTY USED BY SCHOOLS

SPONSOR: Hruza

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Emerging Issues by a vote of 10 to 2. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 8 to 3.

The following is a summary of the House Committee Substitute for HBs 2404 & 2172.

This bill prohibits ordinances, resolutions, and policies that prohibit school districts from leasing, selling, or transferring property to a charter school for a lawful educational purpose. A political subdivision is similarly prohibited from imposing any deed restriction or property-use restriction that prohibits property sold or leased by the political subdivision from being used by a charter school.

Additionally, when a school district offers to sell or lease an unused school building or facility that is not being used for academic, extracurricular, administrative, or athletic purposes, and that either has no school-board-approved plan for future use or has a plan that has not been carried out within two years, the contract must include a right of first refusal allowing a public entity to purchase or lease the property first. The term "public entity" includes the State of Missouri and any of its political subdivisions, such as cities, counties, boards, agencies, or authorities.

The bill requires districts to provide public notice on the district's 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 bill is similar to HB 2172; SB 1273(2026); and HB 1363 (2025).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

**PROPOSERS:** Supporters say that there are currently 99 year deed restrictions on unused school buildings which prevent the sale of such structures to charter schools. This makes it impossible to make good, practical use of otherwise usable school buildings for in-need students. St Louis Public Schools have a number of buildings that are currently unoccupied, and the amount of taxpayer money used for upkeep and maintenance is tremendous. Supporters say that this set of circumstances is a waste of public taxes and resources.

Testifying in person for the bill were Representative Hruza; Americans For Prosperity; Arnie Dienoff; Elimane Mbengue, Academie Lafayette; American Federation For Children; and Missouri Charter Public School Association.

**OPPOSERS:** Those who oppose the bill say that the passage of this bill would amount to an unlawful interference with a private contract that was previously negotiated by parties with specific interests in mind when the provisions of the contract were drafted. Opponents further state that most of the buildings in question are in fact being used for other purposes, and are therefore not a drain on the public. Local control of property is always heralded as the correct approach, until the local jurisdiction does something that the rest of the state does not agree with.

Testifying in person against the bill were Ron Berry, American Federation For Teachers of Missouri; Kansas City Public School District; and St Louis Public School.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.