

CHAPTER 198
HB 536 - FINAL VERSION

05/11/2023 1419s
29Jun2023... 2197CofC

2023 SESSION

23-0887
05/10

HOUSE BILL **536**

AN ACT relative to the chartered public school joint legislative oversight committee, and relative to chartered public school use of unused district facilities.

SPONSORS: Rep. Tanner, Sull. 5; Rep. Wallner, Merr. 19; Rep. Luneau, Merr. 9; Rep. Massimilla, Graf. 1; Rep. Telerski, Hills. 11

COMMITTEE: Education

AMENDED ANALYSIS

This bill revises the structure and duties of the chartered public school joint legislative oversight committee. The bill also requires the commissioner of education to engage an independent mediator for appraisals of unused school district property a chartered public school has made an offer to purchase or lease.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the chartered public school joint legislative oversight committee, and
relative to chartered public school use of unused district facilities.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 198:1 Chartered Public Schools Oversight Committee. RSA 194-B:21 is repealed and reenacted to
2 read as follows:

3 194-B:21 Oversight Committee; Report.

4 I. There is hereby established a joint legislative oversight committee. The committee shall meet
5 jointly at least twice a year and shall monitor the effect of this chapter, review the chartered public school
6 system, and make recommendations for any legislative changes. Where appropriate, the committee shall
7 also make recommendations to the legislature to reduce the scope of, ease the administration of, simplify
8 compliance with, eliminate regulations of, and reduce the amount of paperwork required.

9 II. The committee shall include the chairperson of the house education committee or designee,
10 the chairperson of the senate education committee or designee, the chairperson of the house finance
11 committee or designee, one representative appointed by the speaker of the house of representatives, one
12 senator appointed by the president of the senate, and one nonvoting representative of the department of
13 education with expertise in chartered public schools, appointed by the commissioner of the department of
14 education, who shall not be counted in the quorum.

15 III. Legislative members of the committee shall receive mileage at the legislative rate when
16 attending to the duties of the committee.

17 IV. The members of the oversight committee shall elect a chairperson from among the members.
18 The first meeting of the committee shall be called by the chairperson of the house education committee or
19 designee. The first meeting of the committee shall be held within 45 days of the effective date of this
20 section. Three members of the committee shall constitute a quorum.

21 V. The committee shall submit a written report of its findings and recommendations to the
22 president of the senate, the speaker of the house of representatives, and the chairperson of the house
23 education committee and the senate education committee by September 1 of each year.

24 198:2 Duties of the State Board of Education. Amend RSA 194-B:17, VI to read as follows:

25 VI. The state board shall convene one or more working committees to study and make
26 recommendations regarding the implementation and effectiveness of chartered public schools. The
27 recommendations shall be provided to the legislative oversight committee in RSA 194-B:21 ***by July 1 of***
28 ***each year.***

29 198:3 Chartered Public School Use of Unused District Facilities; Independent Appraisals. Amend
30 RSA 194:61, III(d) to read as follows:

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1 (d) If the offering school district has not received an offer to purchase or lease an unused
2 facility from a party, other than an approved chartered public school operating in this state, a chartered
3 public school may initiate, and the school board of the offering school district shall, *within 60 days of*
4 *receiving the offer*, engage in, *substantive* good faith negotiations for the purchase or lease of the unused
5 facility. *The negotiation period shall continue for 30 days, or less if an agreement is reached. If no*
6 *agreement is reached, the commissioner of the department of education shall engage an independent*
7 *mediator who shall gather independent appraisals of the value of the property when the chartered public*
8 *school made an offer to purchase. The appraised value shall determine a fair market price for the offering*
9 *chartered public school. In situations when the charter school made an offer to lease the property, the*
10 *appraisals gathered by the mediator shall determine a fair market lease price for the offering chartered*
11 *public school.*

198:4 Effective Date. This act shall take effect upon its passage.

Approved: August 04, 2023
Effective Date: August 04, 2023