

### Proviso 1.113

1.113. (SDE: Surplus Property): A school district must transfer, or offer for sale or lease, any surplus real property or property which has been vacant, unused, or unused for direct student instruction for the previous four school years and is not currently included in any district capital improvement plan for future use on or before July 1, 2022. All school districts must publish on their website by September 15, 2022, a list of properties that qualify under this provision. A school district shall comply with the requirements of this provision by transferring such property to another governmental subdivision or state agency that has provided written confirmation of an intent to accept the property for public use by December 31, 2022. Any governmental subdivision or state agency providing such written confirmation must comply with all requirements related to the acquisition of real property or surplus property, and/or requirements related to the establishment of permanent improvement projects prior to accepting property transferred pursuant to this provision. If no governmental subdivision or state agency confirms an intent to accept the property, the district shall offer the property for sale or lease at fair market value as determined by a neutral appraiser and in compliance with existing law providing for sale or lease of such property by a school district. If a school district fails to comply with this provision, the Department of Education must withhold five percent of all state payments to the district until the district complies. ➤ This is a new proviso requiring districts to publish on their website by September 15, 2022, a list of properties meeting the requirements of the proviso. For more information on School Facilities, please contact Wayne Stokes, Director, Office of School Facilities, at [Wstokes@ed.sc.gov](mailto:Wstokes@ed.sc.gov).