

1-1 By: Moody, et al. (Senate Sponsor - Hall, et al.) H.B. No. 1252
 1-2 (In the Senate - Received from the House May 12, 2021;
 1-3 May 18, 2021, read first time and referred to Committee on
 1-4 Education; May 24, 2021, reported favorably by the following vote:
 1-5 Yeas 6, Nays 3; May 24, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio			X	
1-9 Bettencourt		X		
1-10 Hall	X			
1-11 Hughes	X			
1-12 Menéndez	X			
1-13 Paxton	X			
1-14 Perry		X		
1-15 Powell	X			
1-16 Schwertner		X		
1-17 West			X	

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the limitation period for filing a complaint and
 1-22 requesting a special education impartial due process hearing.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter A, Chapter 29, Education Code, is
 1-25 amended by adding Section 29.0164 to read as follows:

1-26 Sec. 29.0164. LIMITATION PERIOD FOR FILING COMPLAINT AND
 1-27 REQUESTING SPECIAL EDUCATION DUE PROCESS HEARING. The commissioner
 1-28 or agency may not adopt or enforce a rule that establishes a shorter
 1-29 period for filing a due process complaint alleging a violation of
 1-30 state or federal special education laws and requesting an impartial
 1-31 due process hearing than the maximum timeline designated under 20
 1-32 U.S.C. Sections 1415(b)(6) and (f)(3).

1-33 SECTION 2. Section 29.0164, Education Code, as added by
 1-34 this Act, applies only to a complaint filed and an impartial due
 1-35 process hearing requested on or after the effective date of this
 1-36 Act. A complaint filed and an impartial due process hearing
 1-37 requested before the effective date of this Act are governed by the
 1-38 law in effect at the time the complaint was filed and the impartial
 1-39 due process hearing was requested, and the former law is continued
 1-40 in effect for that purpose.

1-41 SECTION 3. As soon as practicable after the effective date
 1-42 of this Act, the commissioner of education shall amend rules as
 1-43 necessary to comply with Section 29.0164, Education Code, as added
 1-44 by this Act.

1-45 SECTION 4. This Act takes effect September 1, 2022.

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