

By: Leo-Wilson

H.B. No. 118

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a severance payment to a superintendent of a school
3 district.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 11.201(c), Education Code, is amended to
6 read as follows:

7 (c) For purposes of this subsection, "severance payment"
8 means any amount paid by the board of trustees of an independent
9 school district to or in behalf of a superintendent on early
10 termination of the superintendent's contract that exceeds the
11 amount earned by the superintendent under the contract as of the
12 date of termination, including any amount that exceeds the amount
13 of earned standard salary and benefits that is paid as a condition
14 of early termination of the contract. The board of trustees may not
15 make a severance payment to a superintendent in an amount greater
16 than six months' salary and benefits under the superintendent's
17 terminated contract. The board of trustees that makes a severance
18 payment to a superintendent shall report the terms of the severance
19 payment to the commissioner. The commissioner shall reduce the
20 district's Foundation School Program funds by any amount that the
21 amount of the severance payment to the superintendent exceeds an
22 amount equal to six months' [~~one year's~~] salary and benefits under
23 the superintendent's terminated contract. The commissioner may
24 adopt rules as necessary to administer this subsection.

1 SECTION 2. Section [11.201\(c\)](#), Education Code, as amended by
2 this Act, applies only to a severance payment made by the board of
3 trustees of an independent school district to a superintendent
4 under an agreement entered into on or after the effective date of
5 this Act. A severance payment made by the board of trustees of an
6 independent school district to a superintendent under an agreement
7 entered into before the effective date of this Act is governed by
8 the law in effect at the time the agreement was made, and that law is
9 continued in effect for that purpose.

10 SECTION 3. This Act takes effect on the 91st day after the
11 last day of the legislative session.