

By: VanDeaver

H.B. No. 1067

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the detachment and annexation of school district
3 territory by petition.

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

5 SECTION 1. Section 13.051, Education Code, is amended by
6 amending Subsections (a), (g), and (h) and adding Subsection (h-1)
7 to read as follows:

8 (a) In accordance with this section, territory may be
9 detached from a school district and annexed to another school
10 district that is contiguous to the detached territory. A petition
11 requesting the detachment and annexation must be presented to the
12 board of trustees of the district from which the territory is to be
13 detached and to the board of trustees of the district to which the
14 territory is to be annexed. Not later than the 30th day after the
15 date the petition is received, each ~~[Each]~~ board of trustees to
16 which a petition is required to be presented must conduct a hearing
17 and adopt a resolution as provided by this section for the
18 annexation to be effective.

19 (g) Not later than the 10th day after the date ~~[Immediately~~
20 ~~following receipt of]~~ the petition is received ~~[as required by this~~
21 ~~section]~~, each affected board of trustees shall give notice of the
22 contemplated change by publishing and posting a notice in the
23 manner required for an election order under Section 13.003. The
24 notice must specify the place and date at which a hearing on the

1 matter shall be held. Unless the districts hold a joint hearing,
2 the districts must hold hearings on separate dates. At each
3 hearing, affected persons are entitled to an opportunity to be
4 heard.

5 (h) At the hearing, each board of trustees shall consider
6 the educational interests of the current students residing or
7 future students expected to reside in the affected territory and in
8 the affected districts and the social, economic, and educational
9 effects of the proposed boundary change. Not later than the 15th
10 day after the date [~~After the conclusion of~~] the hearing concludes,
11 each board of trustees shall make findings as to the educational
12 interests of the current students residing or future students
13 expected to reside in the affected territory and in the affected
14 districts and as to the social, economic, and educational effects
15 of the proposed boundary change and shall, on the basis of those
16 findings, adopt a resolution approving or disapproving the
17 petition. The findings and resolution shall be recorded in the
18 minutes of each affected board of trustees and shall be reported to
19 the commissioners court of the county to which the receiving
20 district is assigned for administrative purposes by the agency and
21 to the commissioners court of the county to which the district from
22 which territory is to be detached is assigned for administrative
23 purposes.

24 (h-1) If the board of trustees of an affected district fails
25 to adopt a resolution approving or disapproving the petition
26 requesting the detachment and annexation on or before the 45th day
27 following the date the petition is received, the petition is

1 considered to be disapproved by that board of trustees.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2023.