

By: West

S.B. No. 605

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the establishment of a new open-enrollment charter  
3 school campus by certain charter holders and to the expansion of an  
4 open-enrollment charter school.

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

6 SECTION 1. Section 12.101(b-4), Education Code, is amended  
7 to read as follows:

8 (b-4) Notwithstanding Section 12.114, approval of the  
9 commissioner under that section is not required for establishment  
10 of a new open-enrollment charter school campus if the requirements  
11 of this subsection are satisfied. A charter holder having an  
12 accreditation status of accredited and at least 50 percent of its  
13 student population in grades assessed under Subchapter B, Chapter  
14 39, or at least 50 percent of the students in the grades assessed  
15 having been enrolled in the school for at least three school years  
16 may establish one or more new campuses under an existing charter  
17 held by the charter holder if:

18 (1) the charter holder is currently evaluated under  
19 the standard accountability procedures for evaluation under  
20 Chapter 39 and received a district rating in the highest or second  
21 highest performance rating category under Subchapter C, Chapter 39,  
22 for three of the last five years with at least 75 percent of the  
23 campuses rated under the charter also receiving a rating in the  
24 highest or second highest performance rating category and with no

1 campus with a rating in the lowest performance rating category in  
2 the most recent ratings;

3 (2) the charter holder and each campus operating under  
4 the charter are not currently subject to an action of the  
5 commissioner under Subchapter A, Chapter 39A;

6 (3) [~~(2)~~] the charter holder provides written notice  
7 to the commissioner of the establishment of any campus under this  
8 subsection in the time, manner, and form provided by rule of the  
9 commissioner; and

10 (4) [~~(3)~~] not later than the 60th day after the date  
11 the charter holder provides written notice under Subdivision (3)  
12 [~~(2)~~], the commissioner does not provide written notice to the  
13 charter holder that the commissioner has determined that the  
14 charter holder does not satisfy the requirements of this section.

15 SECTION 2. Section 12.114, Education Code, is amended by  
16 adding Subsection (c-1) to read as follows:

17 (c-1) The commissioner may not approve a request for  
18 approval of an expansion amendment if the charter holder or any  
19 campus operating under the charter is currently subject to an  
20 action of the commissioner under Subchapter A, Chapter 39A.

21 SECTION 3. The changes in law made by this Act apply only to  
22 a new open-enrollment charter school campus established or a  
23 request for approval of an expansion amendment by an  
24 open-enrollment charter school submitted on or after the effective  
25 date of this Act. A campus established or a request submitted  
26 before the effective date of this Act is governed by the law in  
27 effect on the date the campus was established or request submitted,

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1 and the former law is continued in effect for that purpose.

2 SECTION 4. This Act takes effect September 1, 2025.