

BILL ANALYSIS

Senate Research Center

H.B. 1146
By: Dutton (Janek)
Education
5/23/2003
Committee Report (Amended)

DIGEST AND PURPOSE

Under current law, there is no limit to the number of audits a charter school can undergo in a single fiscal year. H.B. 1146 prohibits the commissioner of education from conducting more than one financial or administrative audit of a charter school in a fiscal year, unless there is a specific cause to do so.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 12.1163, Education Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Authorizes the commissioner of education (commissioner), to the extent consistent with this section, rather than with Subsection (b), to audit certain records.

(c) Prohibits the commissioner, unless the commissioner has specific cause to conduct an additional audit, from conducting more than one on-site financial records audit and one on-site administrative records audit of an open-enrollment charter school during any fiscal year. Provides that for purposes of this subsection, an audit of a charter holder or management company associated with an open-enrollment charter school is not considered an audit of the school.

SECTION 2. Effective date: September 1, 2003.

LIST OF COMMITTEE AMENDMENTS:

Committee Amendment No. 1:

Replaces the first sentence of proposed Subsection (c) with the following language:

“(c) Unless the commissioner has specific cause to conduct an additional audit, the commissioner may not conduct more than one on-site audit under Section 12.1163 during any fiscal year, including any financial and administrative records.”