

BILL ANALYSIS

C.S.H.B. 1564
By: Truitt
Public Education
Committee Report (Substituted)

BACKGROUND

Under current law, municipalities are authorized to apply to the Texas Education Agency (TEA) for an open-enrollment charter. The TEA has granted a charter to at least one municipality for an open-enrollment charter school. Municipalities, however, are not provided clear authority to generate or utilize any funds to construct charter school facilities.

PURPOSE

C.S.H.B. 1564 clarifies that a municipality that has been granted a charter is authorized to generate or use funds for the purpose of establishing, maintaining, or operating an open-enrollment charter school.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1564 amends the Education Code to provide that an eligible entity may be granted a charter for an open-enrollment charter school to operate in a facility that is owned by a commercial entity, non-profit entity, a school district, a home-rule school district, or by an eligible entity.

The bill authorizes a municipality to which a charter is granted to borrow funds, issue obligations, or otherwise spend its funds to acquire land or acquire, construct, expand, or renovate school buildings or facilities or related improvements for an open-enrollment charter school in the same manner the municipality is authorized to spend its funds in connection with any other public works project.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1564 modifies the original version by adding that a municipality may borrow funds, issue obligations, or otherwise spend its funds to acquire land or acquire, construct, expand, or renovate school buildings or facilities or related improvements for an open-enrollment charter school in the same manner the municipality is authorized to spend its funds in connection with any other public works project.