

BILL ANALYSIS

C.S.H.B. 2964
By: Howard
Public Education
Committee Report (Substituted)

BACKGROUND

Amendments to Title 2 of the Education Code in 1995 included the removal of Chapter 24. Chapter 24 contained provisions for the establishment and governance of municipal school districts. Under current Section 11.301 of the Education Code, municipal school districts operating under Chapter 24 at the time of the 1995 amendments were and are authorized to continue to operate under that chapter as it existed on May 1, 1995.

Section 24.06(c) of Chapter 24 provides that following requisition by the board of trustees of a municipal school district, the governing body of the municipality levies taxes for the benefit of the district, but has no discretion in establishing the rate of the tax. Current law also permits a municipal school district to be separated from municipal control and become an independent school district if approved at an election held for that purpose.

PURPOSE

C.S.H.B. 2964 amends the law to preserve the status of municipal school districts and allow the governing body of the municipality to exercise discretion in establishing the tax rate for the municipal school district.

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. 2964 amends the Education Code by providing that taxes for a municipal school district shall be approved and levied by the governing body of the municipality, after requisition by the board of trustees. The bill authorizes the governing body of the municipality to adopt the tax rate requisitioned by the board of trustees or may adopt a different tax rate. The bill sets forth provisions relating to a governing body of a municipality adopting such a tax rate. The bill deletes current provisions relating to the separation of a municipal school district from municipal control.

EFFECTIVE DATE

September 1, 2003.