

By: Truitt

H.B. No. 1564

Substitute the following for H.B. No. 1564:

By: Madden

C.S.H.B. No. 1564

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the use of municipal funds for the acquisition of land  
3 or acquisition, construction, expansion, or renovation of  
4 facilities for an open-enrollment charter school.

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

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

8 (a) In accordance with this subchapter, the State Board of  
9 Education may grant a charter on the application of an eligible  
10 entity for an open-enrollment charter school to operate in a  
11 facility of a commercial or nonprofit entity, an eligible entity,  
12 or a school district, including a home-rule school district. In  
13 this subsection, "eligible entity" means:

14 (1) an institution of higher education as defined  
15 under Section 61.003;

16 (2) a private or independent institution of higher  
17 education as defined under Section 61.003;

18 (3) an organization that is exempt from taxation under  
19 Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section  
20 501(c)(3)); or

21 (4) a governmental entity.

22 SECTION 2. Subchapter D, Chapter 12, Education Code, is  
23 amended by adding Section 12.131 to read as follows:

24 Sec. 12.131. USE OF MUNICIPAL FUNDS FOR CHARTER SCHOOL LAND

1 OR FACILITIES. A municipality to which a charter is granted under  
2 this subchapter may borrow funds, issue obligations, or otherwise  
3 spend its funds to acquire land or acquire, construct, expand, or  
4 renovate school buildings or facilities or related improvements for  
5 an open-enrollment charter school in the same manner the  
6 municipality is authorized to borrow funds, issue obligations, or  
7 otherwise spend its funds in connection with any other public works  
8 project.

9         SECTION 3. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2003.