

By: Dutton

H.B. No. 2224

A BILL TO BE ENTITLED

AN ACT

Relating to open-enrollment charter schools.

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

SECTION 1. Section 12.109, Education Code is amended to read as follows:

An open-enrollment charter school shall provide transportation to each student attending the school to the same extent a school district is required by law to provide transportation to district students. The Fuel tax exemption shall be the same as for school districts. The availability of funding for eligible transportation from the State of Texas shall be the same for open enrollment charter schools as for school districts.

SECTION 2. Section 12.1055, Education Code, is amended by adding a new Section 12.1055(c) to read as follows:

(a) An open-enrollment charter school is subject to a prohibition, restriction, or requirement, as applicable, imposed by state law or by a rule adopted under state law, relating to nepotism under Chapter 573, Government Code.

(b) Notwithstanding Subsection (a), if an open-enrollment charter school is rated academically acceptable or higher under Chapter 39 for at least two of the preceding three school years, then Chapter 573, Government Code, does not apply to that school; however, a member of the governing body of a charter holder or a member of the governing body or officer of an open-enrollment

1 charter school shall comply with the requirements of Sections
2 171.003-171.007, Local Government Code, with respect to a personnel
3 matter concerning a person related to the member or officer within
4 the degree specified by Section 573.002, Government Code, as if the
5 personnel matter were a transaction with a business entity subject
6 to those sections, and persons defined under Sections
7 573.021-573.025, Government Code, shall not constitute a quorum of
8 the governing body or any committee of the governing body.

9 (c) Under provisions of this Section, the superintendent,
10 principal, vice principal or other support administrative
11 personnel are not to be defined as officers of the Board of an open
12 enrollment charter holder or school.