

BILL ANALYSIS

Senate Research Center
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S.B. 697
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Education
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Tarrant County sued Denton County in May 1997 arguing that a 1986 agreement among Tarrant, Denton, Dallas, and Collin counties that moved Dallas County's northwest corner to the north also moved the Tarrant County border, which is tied by statute to the Dallas County border. After years of litigation, the court set a new, more northerly boundary between Tarrant and Denton counties in March 2004, enlarging Tarrant County by approximately 3,500 acres.

The unintended consequence stemming from the litigation is another dispute between two school district boundaries, Carroll Independent School District (ISD) and Northwest ISD. Carroll ISD, in northern Tarrant County, believes that its boundaries expanded along the county line pursuant to the Tarrant/Denton boundary case. However, according to Texas Education Agency (TEA) regulations, the process of detachment/annexation is the only way to adjust district boundaries. TEA counsel suggests that Northwest ISD put forth a resolution affirming the boundaries in question utilizing metes and bounds descriptions referencing the current district boundaries through alternative descriptors such as global positioning system coordinates. The resolution presented no changes in the boundaries for the school districts along Denton-Tarrant county line. The affected school districts, Northwest, Lewisville, Grapevine-Colleyville, and Keller ISDs, all approved but Carroll ISD refused. Nevertheless, Northwest ISD has filed the metes and bounds boundary as it has existed with TEA.

Continuance of this dispute and the potential of future litigation represent a significant financial impact for Northwest ISD and led to the cancellation of planned facilities and construction. Additional concerns exist over spending citizens' tax dollars on litigation and subsequent appeals. As proposed, S.B. 697 validates school district boundaries in certain locations. This bill would not affect boundary disputes resulting in litigation if the action commenced before January 1, 2004, and there has been a final judgment by a court. This legislation will clearly define the boundaries of each named school district. This unique situation is not addressed in current law. This is a local act and will change only the boundaries of the named school districts.

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. (a) Provides that this section applies any common, independent, or municipal school district that is located in whole or in part in a county that borders a county that has a population of at least two million and has a population of a population of at least one million or a population of at least 400,000 and a county seat that has a population of at least 75,000.

(b) Provides that the boundaries of a common, independent, or municipal school district as they existed on January 1, 2004, are validated as of that date.

(c) Provides that if the boundaries of a common, independent, or municipal school district are not, as of January 1, 2004, established by a complete metes and bounds description, the boundaries are determined by school district attendance zones or tax assessment lines as of January 1, 2004, or by other evidence of district boundary recognition as of January 1, 2004.

(d) Provides that section does not affect certain school district boundaries.

(e) Provides that for certain purposes, the boundaries of a school district were the subject of a detachment, annexation, consolidation, abolition, or other boundary change procedure under Chapter 13 (Creation, Consolidation, and Abolition of a District), Education Code, as of January 1, 2004, under certain circumstances as of that date.

SECTION 2. Effective date: upon passage or September 1, 2005.