

BILL ANALYSIS

H.B. 281
By: Madden
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Established in 1969, the Windham School District (WSD) is the only publicly funded school district in Texas that is located inside a correctional institution. Although the appropriation for the WSD is in the Texas Education Agency's (TEA) bill pattern, WSD is a school system charged with educating adults in a prison system and has a much different relationship with TEA than any other school district.

House Bill 281 makes statutory amendments that are necessary to move Windham's appropriation from Article III of the General Appropriations Act to Article V. This bill amends Chapter 19 of the Education Code, the Windham enabling statutes. The corresponding contingency rider in House Bill 1 would make the actual transfer of funds from TEA's bill pattern to the Texas Department of Criminal Justice's bill pattern.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Department of Criminal Justice in SECTION 3 of this bill.

ANALYSIS

H.B. 281 amends Chapter 19 of the Education Code, Schools in the Texas Department of Criminal Justice, by deleting references to money from the foundation school fund. This bill also amends Chapter 19 by replacing "commissioner" or "agency" (Texas Education Agency) with "department" (Texas Department of Criminal Justice) in all instances except for Section 19.010 which relates to annual reporting requirements to the agency.

H.B. 281 provides that the costs for persons eligible for programs and services under Section 19.005, Education Code, shall be paid for from amounts appropriated to the department for that purpose.

H.B. 281 repeals Section 19.007 (c), Education Code.

EFFECTIVE DATE

September 1, 2007.