

By: Aycock

H.B. No. 3742

A BILL TO BE ENTITLED

AN ACT

relating to certain appeals against school districts made to the commissioner of education.

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

SECTION 1. Section 7.057, Education Code, is amended by adding Subsections (c-1), (c-2), and (c-3) to read as follows:

(c-1) An administrative law judge acting on behalf of the commissioner under Chapter 157, Title 19, Texas Administrative Code, in response to an appeal described by Subsection (c) shall issue a proposal for decision not later than the 30th day after the conclusion of briefing by parties to the appeal.

(c-2) On receipt of a proposal for decision under Subsection (c-1), the commissioner shall issue a final decision not later than:

(1) the 30th day after the filing of the parties' replies and exceptions to the proposal for decision; or

(2) if no replies and exceptions are filed, the 60th day after the date of issuance of the proposal for decision.

(c-3) If the commissioner fails to comply with Subsection (c-2), the commissioner shall issue a final decision that conforms with the proposal for decision not later than the seventh day after the applicable deadline under that subsection.

SECTION 2. This Act applies only to a hearing that commences on or after September 1, 2009. A hearing that commenced before

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1 September 1, 2009, is governed by the law as it existed immediately
2 before the effective date of this Act, and that law is continued in
3 effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2009.