

By: Cook

H.B. No. 3957

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a charter school for alleged offender residents at a state school.

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

SECTION 1. Subchapter A, Chapter 553, Health and Safety Code, is amended by adding Section 553.003 to read as follows:

Sec. 553.003. ESTABLISHMENT OF CHARTER SCHOOL. (a) In this section, "alleged offender resident" means a person with mental retardation who has been committed to or transferred to a state school under Chapter 55, Family Code, or Chapter 46B or 46C, Code of Criminal Procedure.

(b) The commissioner of education and the executive commissioner of health and human services shall enter into a memorandum of understanding to establish at a selected state school a charter school for the education of alleged offender residents.

(c) Subchapter D, Chapter 12, Education Code, applies to a charter school established under this section as though the school were granted a charter under that subchapter.

(d) A charter granted under this section is not considered for purposes of the limit on the number of open-enrollment charter schools imposed by Section 12.101(b), Education Code.

SECTION 2. The commissioner of education and the executive commissioner of health and human services shall adopt the memorandum of understanding required by Section 553.003, Health and

1 Safety Code, as added by this Act, not later than October 1, 2009.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2009.