

By: Howard of Travis

H.B. No. 1855

A BILL TO BE ENTITLED

AN ACT

relating to a study regarding school district practices in selecting sites for new school campuses.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.028 to read as follows:

Sec. 38.028. STUDY OF SCHOOL DISTRICT SITE SELECTION PRACTICES. (a) In this section:

(1) "Phase I environmental site assessment" means an assessment that complies with ASTM Standard E1527.

(2) "Phase II environmental site assessment" means an assessment that complies with ASTM Standard E1903.

(b) The Texas Commission on Environmental Quality, in coordination with the agency, shall conduct a study of school district practices regarding selection of sites for new school campuses.

(c) The study must include evaluation of:

(1) the extent to which school districts conduct Phase I or Phase II environmental site assessments;

(2) for school districts that conduct Phase I or Phase II environmental site assessments, the manner in which the districts pay the costs of the assessments;

(3) the point in the selection process at which school districts involve members of the public and the manner provided for

1 that involvement; and

2 (4) the environmental criteria that school districts
3 take into consideration in the selection process.

4 (d) Not later than December 1, 2012, the Texas Commission on
5 Environmental Quality and the agency shall complete the study
6 required by this section and submit a report containing the
7 findings of the study to the governor, the lieutenant governor, and
8 each member of the legislature.

9 (e) This section expires January 1, 2013.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2011.