

By: Deshotel

H.B. No. 2476

A BILL TO BE ENTITLED

AN ACT

relating to home rule school district charters.

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

SECTION 1. Section 12.013(b), Education Code, is amended to read as follows:

(b) A home-rule school district is subject to:

(1) a provision of this title establishing a criminal offense;

(2) a provision of this title relating to limitations on liability; and

(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

~~(B) [educator certification under Chapter 21 and educator rights under Sections 21.407, 21.408, and 22.001,]~~

~~[(C)]~~ criminal history records under Subchapter C, Chapter 22;

~~[(D)]~~ (C) student admissions under Section 25.001;

~~[(E)]~~ (D) school attendance under Sections 25.085, 25.086, and 25.087;

1                   ~~[(F) inter-district or inter-county transfers of~~  
2 ~~students under Subchapter B, Chapter 25;~~  
3                   ~~[(C) elementary class size limits under Section~~  
4 ~~25.112, in the case of any campus in the district that fails to~~  
5 ~~satisfy any standard under Section 39.054(e);]~~  
6                   ~~[(H)]~~(E) high school graduation under Section  
7 28.025;  
8                   ~~[(I)]~~(F) special education programs under  
9 Subchapter A, Chapter 29;  
10                   ~~[(J)]~~(G) bilingual education under Subchapter B,  
11 Chapter 29;  
12                   ~~[(K)]~~(H) prekindergarten programs under  
13 Subchapter E, Chapter 29;  
14                   ~~[(L)]~~(I) safety provisions relating to the  
15 transportation of students under Sections 34.002, 34.003, 34.004,  
16 and 34.008;  
17                   ~~[(M)]~~(J) computation and distribution of state  
18 aid under Chapters 31, 42, and 43;  
19                   ~~[(N)]~~(K) extracurricular activities under  
20 Section 33.081;  
21                   ~~[(O)]~~(L) health and safety under Chapter 38;  
22                   ~~[(P)]~~(M) public school accountability under  
23 Subchapters B, C, D, E, and J, Chapter 39;  
24                   ~~[(Q)]~~(N) equalized wealth under Chapter 41;  
25                   ~~[(R)]~~(O) a bond or other obligation or tax rate  
26 under Chapters 42, 43, and 45; ~~and~~  
27                   ~~[(S)]~~(P) purchasing under Chapter 44;

1           (Q) reading instruments and accelerated reading  
2 instruction programs under Section 28.006;

3           (R) accelerated instruction under Section  
4 28.0211;

5           (S) discipline management practices or behavior  
6 management techniques under Section 37.0021;

7           (T) the requirement under Section 21.006 to  
8 report an educator's misconduct; and

9           (U) intensive programs of instruction under  
10 Section 28.0213.

11           SECTION 2. Section 12.014, Education Code, is amended to  
12 read as follows:

13           Sec. 12.014. APPOINTMENT OF CHARTER COMMISSION. The board  
14 of trustees of a school district shall appoint a charter commission  
15 to frame a home-rule school district charter if:

16           (1) the board receives a petition requesting the  
17 appointment of a charter commission to frame a home-rule school  
18 district charter signed by at least five percent of the registered  
19 voters of the district; or

20           (2) a majority [~~at least two-thirds~~] of the total  
21 membership of the board adopts [~~adopt~~] a resolution ordering that a  
22 charter commission be appointed.

23           SECTION 3. Section 12.021(a), Education Code, is amended to  
24 read as follows:

25           (a) [~~Subject to Section 12.022, a~~] A proposed home-rule  
26 school district charter or a proposed charter amendment is adopted  
27 if approved by a majority of the qualified voters of the district

1 voting at an election held for that purpose.

2 SECTION 4. Section 12.030(f), Education Code, is amended to  
3 read as follows:

4 (f) A home-rule school district charter is rescinded if the  
5 rescission is approved by a majority of the qualified voters of the  
6 district voting at an election held for that purpose [~~at which at  
7 least 25 percent of the registered voters of the district vote~~].

8 SECTION 5. Section 12.022, Education Code, is repealed.

9 SECTION 6. EFFECTIVE DATE. This Act takes effect  
10 immediately if it receives a vote of two-thirds of all the members  
11 elected to each house, as provided by Section 39, Article III, Texas  
12 Constitution. If this Act does not receive the vote necessary for  
13 immediate effect, the Act takes effect September 1, 2013.