

By: Patrick, Paxton

S.B. No. 1409

A BILL TO BE ENTITLED

AN ACT

relating to public information regarding facilities of school districts and open-enrollment charter schools.

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

SECTION 1. Chapter 46, Education Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PUBLIC INFORMATION REGARDING FACILITIES

Sec. 46.101. DEFINITION. In this subchapter, "instructional facility" has the meaning assigned by Section 46.001.

Sec. 46.102. INVENTORY OF EXISTING FACILITIES. (a) A school district or open-enrollment charter school shall post an inventory of the district's or school's existing facilities on the district's or school's Internet website.

(b) The inventory must include at least the following information regarding instructional facilities:

(1) the total available square footage and maximum student capacity of the district's or school's instructional facilities in aggregate;

(2) the total current student enrollment in the district or school; and

(3) for each separate instructional facility:

(A) square footage;

(B) maximum student capacity; and

1                   (C) current student enrollment.

2           (c) The inventory must include at least the following  
3 information regarding each facility other than an instructional  
4 facility:

5                   (1) square footage;

6                   (2) a statement of the facility's current use; and

7                   (3) any other information specified by rule adopted by  
8 the commissioner.

9           (d) For a facility for which the school district or  
10 open-enrollment charter school developed and posted construction  
11 or renovation information in accordance with Section 46.103, the  
12 information provided under this section for the facility must also  
13 include the final updated information required under Section  
14 46.103. This subsection does not require a district or school to  
15 develop and post information regarding construction or renovation  
16 costs for a facility not subject to Section 46.103.

17           (e) A school district or open-enrollment charter school  
18 shall update the information posted under this section at least  
19 annually and more frequently if necessary to ensure that the  
20 information provides an accurate description of existing  
21 facilities.

22           (f) A school district or open-enrollment charter school  
23 shall maintain an Internet website to comply with this section.

24           Sec. 46.103. CONSTRUCTION AND RENOVATION OF FACILITIES.

25           (a) A school district or open-enrollment charter school shall post  
26 on the district's or school's Internet website at least the  
27 information specified by this section regarding each project for

1 the construction or renovation of a facility.

2 (b) The following information must be posted regarding an  
3 instructional facility:

4 (1) the square footage of the facility;

5 (2) the square footage per student, computed using the  
6 maximum student capacity at the facility;

7 (3) the cost per square foot;

8 (4) the cost per student, computed using the maximum  
9 student capacity at the facility; and

10 (5) the average cost of constructing a comparable  
11 facility in the region, as determined by the commissioner under  
12 Subsection (f).

13 (c) The following information must be posted regarding a  
14 facility other than an instructional facility:

15 (1) the square footage of the facility;

16 (2) a statement of the intended use of the facility;

17 (3) the cost per square foot;

18 (4) the average cost of constructing a comparable  
19 facility in the region, as determined by the commissioner under  
20 Subsection (f); and

21 (5) any other information specified by rule adopted by  
22 the commissioner.

23 (d) A school district or open-enrollment charter school  
24 shall comply with this section at the beginning of a project by  
25 posting information based on estimated costs and anticipated  
26 construction or renovation design plans. At the conclusion of the  
27 project, the district or school shall post updated information that

1 reflects the actual cost and final specifications of the project.  
2 Subsequently, the district or school shall continue to post the  
3 information as provided by Section 46.102(d).

4 (e) A school district or open-enrollment charter school  
5 shall maintain an Internet website to comply with this section.

6 (f) The commissioner shall determine and periodically  
7 update information regarding the average cost per square foot in  
8 each region of the state of constructing instructional facilities  
9 and other school district or open-enrollment charter school  
10 facilities. The commissioner may base a determination under this  
11 subsection on any relevant information available to the  
12 commissioner and may enter into any contract necessary to authorize  
13 use of or access to the information.

14 SECTION 2. Section 46.103, Education Code, as added by this  
15 Act, applies only to school district construction or renovation  
16 projects that are in progress on or are initiated on or after the  
17 effective date of this Act. A school district is not required to  
18 post information regarding projects that are completed on or before  
19 the effective date of this Act.

20 SECTION 3. This Act takes effect September 1, 2013.