

1-1 By: Patrick, Paxton S.B. No. 1409  
 1-2 (In the Senate - Filed March 7, 2013; March 18, 2013, read  
 1-3 first time and referred to Committee on Open Government;  
 1-4 April 11, 2013, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 4, Nays 1; April 11, 2013,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11		X		
1-12	X			
1-13	X			

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 1409 By: Seliger

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to public information regarding facilities of school  
 1-18 districts and open-enrollment charter schools.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Chapter 46, Education Code, is amended by adding  
 1-21 Subchapter D to read as follows:

1-22 SUBCHAPTER D. PUBLIC INFORMATION REGARDING FACILITIES

1-23 Sec. 46.101. AVAILABILITY OF INFORMATION REGARDING  
 1-24 FACILITIES. (a) For the purpose of providing information to the  
 1-25 public regarding district or school facilities usage and taxpayer  
 1-26 value, a school district or open-enrollment charter school shall:

1-27 (1) report data elements specified by commissioner  
 1-28 rule to the agency through the Texas Student Data System (TSDS) or a  
 1-29 successor data management system maintained by the agency; and

1-30 (2) provide a direct link on the district's or school's  
 1-31 Internet website to the Texas Student Data System (TSDS) or a  
 1-32 successor data management system maintained by the agency through  
 1-33 which the facilities information relevant to the specific district  
 1-34 or school may be readily accessed.

1-35 (b) The commissioner shall adopt rules necessary to  
 1-36 implement this section, including rules ensuring that the Texas  
 1-37 Student Data System (TSDS) or a successor data management system  
 1-38 maintained by the agency includes appropriate data elements  
 1-39 regarding school facilities usage and taxpayer value.

1-40 (c) The commissioner shall adopt rules for purposes of  
 1-41 Subsection (b) based on the recommendations of the Taxpayer Value  
 1-42 and School Facilities Usage Advisory Committee established under  
 1-43 Section 46.102. This subsection expires September 1, 2017.

1-44 Sec. 46.102. TAXPAYER VALUE AND SCHOOL FACILITIES USAGE  
 1-45 ADVISORY COMMITTEE. (a) The Taxpayer Value and School Facilities  
 1-46 Usage Advisory Committee is established to serve the function  
 1-47 specified by this section.

1-48 (b) The committee consists of:

1-49 (1) the commissioner and the comptroller, who serve as  
 1-50 co-chairs of the committee; and

1-51 (2) the following persons, appointed jointly by the  
 1-52 commissioner and comptroller:

1-53 (A) a current school board member;

1-54 (B) a current school district administrator;

1-55 (C) a current public school teacher;

1-56 (D) a parent of a student currently enrolled in a  
 1-57 public school;

1-58 (E) a representative of the school construction  
 1-59 industry, who may be an engineer, architect, or contractor;

1-60 (F) a representative of the construction

2-1 industry who does not work on school construction, who may be an  
2-2 engineer, architect, or contractor; and

2-3 (G) a member of the public.

2-4 (c) The commissioner and comptroller shall make the  
2-5 appointments required by Subsection (b) not later than October 15,  
2-6 2013.

2-7 (d) The committee shall meet to develop recommendations  
2-8 regarding the data that should be considered in evaluating a school  
2-9 district's or open-enrollment charter school's facility usage and  
2-10 taxpayer value with regard to school facility construction and  
2-11 renovation. The committee shall hold its initial meeting as soon as  
2-12 possible after the committee members are selected, but not later  
2-13 than November 15, 2013.

2-14 (e) Not later than December 31, 2014, the committee shall  
2-15 develop its final recommendations and submit a report to the  
2-16 governor, lieutenant governor, and speaker of the house of  
2-17 representatives. The committee shall also make the report  
2-18 available electronically to members of the legislature.

2-19 (f) Based on the recommendations developed by the  
2-20 committee, the commissioner shall:

2-21 (1) ensure that the Texas Student Data System (TSDS)  
2-22 or a successor data management system maintained by the agency  
2-23 includes appropriate data elements regarding school facilities;  
2-24 and

2-25 (2) adopt rules for purposes of Section 46.101.

2-26 (g) A committee member is not entitled to reimbursement of  
2-27 expenses or to compensation.

2-28 (h) Chapter 2110, Government Code, does not apply to the  
2-29 committee.

2-30 (i) This section expires September 1, 2017.

2-31 SECTION 2. Section 46.101, Education Code, as added by this  
2-32 Act, applies to a school district or open-enrollment charter school  
2-33 beginning on the effective date of rules adopted by the  
2-34 commissioner of education under Subsection (b), Section 46.101,  
2-35 Education Code, as added by this Act.

2-36 SECTION 3. This Act takes effect September 1, 2013.

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