

By: Schwertner
(Miller of Fort Bend)

S.B. No. 955

A BILL TO BE ENTITLED

AN ACT

relating to permissible locations of open-enrollment charter schools created by certain institutions of higher education.

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

SECTION 1. Section 12.152, Education Code, is amended to read as follows:

Sec. 12.152. AUTHORIZATION. (a) In accordance with this subchapter and Subchapter D, the commissioner may grant a charter on the application of:

(1) a public senior college or university for an open-enrollment charter school to operate on the campus of the public senior college or university or, subject to Subsection (b), at another location in any county in this state [~~in the same county in which the campus of the public senior college or university is located~~]; or

(2) a public junior college for an open-enrollment charter school to operate on the campus of the public junior college or in the same county in which the campus of the public junior college is located.

(b) In evaluating an application submitted under Subsection (a)(1) for a charter to operate an open-enrollment charter school in a county other than the county in which the campus of the applicant is located, the commissioner shall consider:

(1) the locations of existing open-enrollment charter

1 schools, as appropriate, to avoid duplication of services in the
2 area in which the applicant proposes to operate the school; and

3 (2) the need of the community in the area in which the
4 applicant proposes to operate the school to have an additional
5 open-enrollment charter school.

6 SECTION 2. Section 12.152, Education Code, as amended by
7 this Act:

8 (1) applies to an application for a new charter
9 pending on or submitted on or after the effective date of this Act;
10 and

11 (2) authorizes a public senior college or university
12 that holds a charter granted before the effective date of this Act
13 to operate a charter school at a location in any county of this
14 state, provided that if the college or university seeks to operate
15 an additional campus and the commissioner's approval of the
16 expansion is required under Chapter 12, Education Code, the college
17 or university must obtain the commissioner's approval.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2015.