

BILL ANALYSIS

H.B. 3800
By: Dutton
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties believe that a charter school operated by a nonprofit corporation should be treated in the same manner as a public school district when it comes to collective bargaining and strikes and that collective bargaining by charter school employees should be prohibited. H.B. 3800 seeks to ensure this treatment.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3800 amends the Education Code to include as a circumstance under which an open-enrollment charter school operated by a charitable organization exempted from federal income tax under the federal Internal Revenue Code of 1986 is considered to be a political subdivision, local government, or local governmental entity the statement of a statutory provision relating to charters that a specific statute applies to an open-enrollment charter school.

H.B. 3800 amends the Government Code to establish that an open-enrollment charter school is a political subdivision for purposes of statutory provisions relating to collective bargaining and strikes, that a member of the governing body of a charter holder, a member of the governing body of a charter school, and an officer of a charter school are considered to be officials of a political subdivision, and that an employee of a charter school is considered to be a public employee under those statutory provisions. The bill's Government Code provisions expressly do not apply during the term of a collective bargaining contract entered into before the bill's effective date by a charter school and a labor organization. The bill prohibits the renewal of a collective bargaining contract entered into by a charter school with a labor organization before the bill's effective date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.