

BILL ANALYSIS

C.S.H.B. 4226
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Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties see a need for increased transparency with regard to the special education continuing advisory committee. C.S.H.B. 4226 seeks to make that increase by providing for certain public participation in the committee's operation.

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

C.S.H.B. 4226 amends the Education Code to require the special education continuing advisory committee to provide a procedure for members of the public to speak at committee meetings, which may not require a member of the public to register to speak earlier than the day of the meeting. The bill requires the committee to develop a policy to encourage public participation with the committee and requires the Texas Education Agency (TEA) to post on the TEA website contact information for the committee, notice and minutes of each public meeting of the committee, and guidance concerning how to submit public comments to the committee. The bill requires the committee, not later than January 1 of each odd-numbered year, to submit a report to TEA with recommended changes to state law and TEA rules relating to special education and to include in the report a summary of the committee's discussion on recommended changes and an appendix with the committee's current policy on encouraging public participation and public comments. The bill requires TEA to forward the report to the legislature, accompanied by any additional comments considered appropriate by TEA.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 4226 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 29.006, Education Code, is amended by adding Subsections (d), (e), (f), (g), and (h) to read as follows:

(d) Committee meetings must be conducted in compliance with Chapter 551, Government Code.

(e) The committee shall provide a procedure for members of the public to speak at committee meetings. The procedure may not require a member of the public to register to speak earlier than the day of the meeting.

(f) The agency must post on the agency's Internet website:

(1) contact information for the committee, including an e-mail address;

(2) notice of each open meeting of the committee;

(3) minutes of each open meeting of the committee; and

(4) guidance concerning how to submit public comments to the committee.

(g) The committee shall develop a policy to encourage public participation with the committee.

(h) Not later than January 1 of each odd-numbered year, the committee shall submit a report to the legislature with recommended changes to state law and agency rules relating to special education.

The committee shall include the committee's current policy on encouraging public participation, as required by Subsection (g), in the report.

SECTION 2. Section 29.006(d), Education Code, as added by this Act, applies only to an open meeting of the special education continuing advisory committee held on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2017.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 29.006, Education Code, is amended by adding Subsections (d), (e), (f), and (g) to read as follows:

(d) The committee shall provide a procedure for members of the public to speak at committee meetings. The procedure may not require a member of the public to register to speak earlier than the day of the meeting.

(e) The agency must post on the agency's Internet website:

(1) contact information for the committee, including an e-mail address;

(2) notice of each public meeting of the committee;

(3) minutes of each public meeting of the committee; and

(4) guidance concerning how to submit public comments to the committee.

(f) The committee shall develop a policy to encourage public participation with the committee.

(g) Not later than January 1 of each odd-numbered year, the committee shall submit a report to the agency with recommended changes to state law and agency rules relating to special education, including a summary of the committee's discussion on recommended changes. The committee shall include in the report an appendix with the committee's current policy on encouraging public participation, as required by Subsection (f), and public comments. The agency shall forward the report to the legislature, accompanied by any additional comments considered appropriate by the agency.

No equivalent provision.

SECTION 2. Same as introduced version.