

## **BILL ANALYSIS**

Senate Research Center  
85R6965 PAM-D

S.B. 601  
By: Campbell  
Intergovernmental Relations  
3/13/2017  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Many municipalities impose drainage fees relating to amounts and percentages of a specific property's impervious cover. Currently, there is a state law that exempts all public schools from these local drainage fees. There has been some confusion as to whether this state law applies to charter schools. S.B. 601 clarifies this language and explicitly includes charter schools in the statewide exemption from local drainage fee ordinances.

As proposed, S.B. 601 amends current law relating to authorizing an exemption for open-enrollment charter schools from certain municipal drainage requirements.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 552.053, Local Government Code, by amending Subsection (b) and adding Subsections (b-1) and (b-2), as follows:

(b) Authorizes the following to be exempt from this subchapter and all ordinances, resolutions, and rules adopted under this subchapter:

(1) this state;

(2) a county;

(3) a municipality; or

(4) school districts and open-enrollment charter schools, rather than a school district.

(b-1) Requires that an exemption, for purposes of an exemption granted under Subsection (b)(4), be granted to both school districts and open-enrollment charter schools.

(b-2) Defines "open-enrollment charter school."

SECTION 2. Provides that an exemption granted to a school district under Section 552.053(b)(4), Local Government Code, as that section existed before the effective date of this Act, automatically extends to all open-enrollment charter schools located in the municipality after the effective date of this Act unless the municipality repeals the exemption before the effective date of this Act.

SECTION 3. Effective date: September 1, 2017.