

By: Smithee

H.B. No. 1759

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of an independent school district to
3 contract with a county for the design, improvement, or construction
4 of an instructional facility or stadium or other athletic facility.

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

6 SECTION 1. Section 11.168(a), Education Code, is amended to
7 read as follows:

8 (a) Except as provided by Subsection (b) or Section
9 45.109(a-1), (a-2), ~~or~~ (a-3), or (a-4), the board of trustees of a
10 school district may not enter into an agreement authorizing the use
11 of school district employees, property, or resources for the
12 provision of materials or labor for the design, construction, or
13 renovation of improvements to real property not owned or leased by
14 the district.

15 SECTION 2. Section 45.109, Education Code, is amended by
16 adding Subsection (a-4) and amending Subsection (e) to read as
17 follows:

18 (a-4) An independent school district and any county in which
19 any territory included in the district is located may contract for
20 the district to contribute district resources to pay a portion of
21 the costs of the design, improvement, or construction of an
22 instructional facility or stadium or other athletic facility owned
23 by, on the property of, or under the control of the county. A
24 district may contribute district resources under this subsection

1 only if the district and county enter into a written agreement
2 authorizing the district to use that facility.

3 (e) An agreement entered into before the construction of an
4 instructional facility or[~~or~~] stadium[~~or~~] or other athletic
5 facility, as provided by Subsection (a-1), (a-2), [~~or~~] (a-3), or
6 (a-4) does not violate Section 11.169.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2017.