

By: Moody

H.B. No. 3632

A BILL TO BE ENTITLED

AN ACT

relating to extension of the timeline for a parent to request a special education impartial due process hearing in certain circumstances.

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

SECTION 1. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0163 to read as follows:

Sec. 29.0163. EXTENDED TIMELINE TO REQUEST SPECIAL EDUCATION DUE PROCESS HEARING. (a) In this section,

"servicemember" means a member of:

(1) the armed forces;

(2) the commissioned corps of the National Oceanic and Atmospheric Administration; or

(3) the commissioned corps of the Public Health Service.

(b) The timeline for the parent of a student to request an impartial due process hearing under 20 U.S.C. Section 1415(b) does not apply if:

(1) the parent is a servicemember and is entitled to a tolling of statutes of limitation under 50 U.S.C. Section 3936(a);

or

(2) the parent was prevented from requesting the hearing as provided under 20 U.S.C. Section 1415(f)(3)(D).

SECTION 2. This Act takes effect September 1, 2017.