

By: Moody

H.B. No. 3632

A BILL TO BE ENTITLED

AN ACT

1
2 relating to extension of the timeline for a parent to request a
3 special education impartial due process hearing in certain
4 circumstances.

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

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

8 Sec. 29.0163. EXTENDED TIMELINE TO REQUEST SPECIAL
9 EDUCATION DUE PROCESS HEARING. (a) In this section,
10 "servicemember" means a member of:

11 (1) the armed forces;

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

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

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

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

21 or

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

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