

By: West

S.B. No. 1904

A BILL TO BE ENTITLED

AN ACT

relating to ownership and disposition of property and management of assets of an open-enrollment charter school for which the charter has been revoked, denied renewal, or surrendered.

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

SECTION 1. Subchapter D, Chapter 12, Education Code, is amended by adding Section 12.1165 to read as follows:

Sec. 12.1165. CLOSED CHARTER SCHOOL RECOVERED ASSETS. (a)

The following funds shall be deposited in the general revenue fund:

(1) any state funds received by a charter holder under Section 12.106 that remain after:

(A) the commissioner revokes or denies the renewal of the charter of an open-enrollment charter school; or

(B) the charter holder surrenders the charter of an open-enrollment charter school; and

(2) any proceeds from the disposition of property under Section 12.128(c)(2).

(b) Money deposited under Subsection (a) may be appropriated to pay for agency costs associated with an open-enrollment charter school for which the charter has been revoked, denied renewal, or surrendered, including:

(1) management and closure of the open-enrollment charter school; and

(2) retention of all remaining records of the former

1 open-enrollment charter school.

2 SECTION 2. Section 12.128, Education Code, is amended by
3 adding Subsections (f) and (g) to read as follows:

4 (f) Notwithstanding Subsection (a), on the closure of an
5 open-enrollment charter school, real or personal property
6 purchased using state funds received after September 1, 2001, is
7 considered to be public property only to the extent state funds were
8 used to pay for the property purchased.

9 (g) A charter holder shall provide in the annual financial
10 report of the charter holder a detailed inventory identifying the
11 real property owned or leased by the charter holder. The report
12 must include information identifying the source of funding used to
13 purchase or lease the property.

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