

BILL ANALYSIS

Senate Research Center
86R6715 MP-F

H.B. 1597
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1597 amends current law to allow a military parent or guardian to establish residency in a school district for the purposes of advanced enrollment upon receipt of valid military orders assigning them to a nearby military installation.

Currently, the state requires students to provide proof of residency prior to enrolling in school. This requirement puts children of military service members transferring into a new district at a disadvantage because they are not eligible to register in courses, enroll in specialized academic programs, or submit their children's names to waitlists for charter or magnet schools until they are physically located within school district boundaries. Not only does this limitation add unnecessary stress for military families, it can also result in shifting military children off of their planned courses of study and prevent them from being considered for certain academic programs.

To address this issue, Texas can help children of military families by allowing them to meet the necessary proof of residency enrollment requirements by providing school districts with an official military order of a pending relocation. Under the bill's provisions, students would finalize their enrollment by confirming their residency status within 10 days of officially relocating to the district.

H.B. 1597 amends current law relating to establishing residency for purposes of admission into public schools.

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 25.001, Education Code, by adding Subsections (c-1) and (c-2), as follows:

(c-1) Authorizes a person whose parent or guardian is an active-duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, to establish residency for purposes of Subsection (b) (relating to requiring the board of trustees of a school district or its designee to admit into the public schools of the district free of tuition certain persons in certain circumstances) by providing to the school district a copy of a military order requiring the parent's or guardian's transfer to a military installation in or adjacent to the district's attendance zone.

(c-2) Requires a person who establishes residency as provided by Subsection (c-1) to provide to the school district proof of residence in the district's attendance zone not later than the 10th day after the arrival date specified in the order described by that subsection. Defines "residence" to include residence in a military temporary lodging facility for purposes of this subsection.

SECTION 2. Reenacts Section 12.104(b), Education Code, as amended by Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts of the 85th Legislature, Regular Session, 2017, and amends it, as follows:

(b) Provides that an open-enrollment charter school is subject to:

(1) makes no changes to this subdivision; and

(2) a prohibition, restriction, or requirement, as applicable, imposed by this title (Public Education) or a rule adopted under this title, relating to:

(A)-(N) makes no changes to these paragraphs;

(O) makes a nonsubstantive change to this paragraph;

(P) makes no change to this paragraph;

(Q)-(R) makes nonsubstantive changes to these paragraphs;

(S) redesignates existing text of Paragraph (P) as Paragraph (S); and

(T) establishment of residency under Section 25.001 (Admission).

SECTION 3. Provides that this Act applies beginning with the 2019–2020 school year.

SECTION 4. Provides that, to the extent of any conflict, this Act prevails over another Act of the 86th Legislature, Regular Session, 2019, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5. Effective date: upon passage or September 1, 2019.