

BILL ANALYSIS

H.B. 2487
By: Dutton
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

As open-enrollment charter schools receive public funds and charter school employees are accountable for academic performance of Texas students in the same way as employees of other public schools, it has been suggested that these schools and employees should be treated in the same way as public school districts and other public school employees. H.B. 2487 seeks to provide for that treatment by prohibiting charter school employees from engaging in collective bargaining or striking.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2487 amends the Government Code to classify an open-enrollment charter school as a political subdivision for purposes of provisions governing collective bargaining and strikes by public officers and employees, thereby prohibiting charter school employees from engaging in collective bargaining or striking. The bill classifies a member of the governing body of a charter holder, a member of the governing body of a charter school, and an officer of a charter school as officials of a political subdivision and a charter school employee as a public employee under those provisions. The bill establishes that those provisions do not apply during the term of a collective bargaining contract entered into before the bill's effective date by a charter school and a labor organization. The bill prohibits the renewal of a collective bargaining contract entered into by a charter school with a labor organization before the bill's effective date.

H.B. 2487 amends the Education Code to provide that a charter school operated by a charitable organization exempted from federal income tax under the federal Internal Revenue Code of 1986 is considered to be a political subdivision, local government, or local governmental entity if a provision in applicable state law governing charter schools states that a specific statute applies to a charter school.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.