

BILL ANALYSIS

C.S.S.B. 722
By: Campbell
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are concerns that excessive severance packages for outgoing public school district superintendents may place an undue financial burden on districts and taxpayers. C.S.S.B. 722 seeks to address these concerns by prohibiting severance payments under certain circumstances.

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

C.S.S.B. 722 amends the Education Code to prohibit the board of trustees of an independent school district from making any severance payment to or in behalf of a district superintendent whose contract was terminated for cause or not renewed for cause or who resigned in lieu of such termination or nonrenewal.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 722 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute does not include a provision limiting the amount of a severance payment to a superintendent of an independent school district on early termination of the superintendent's contract. The substitute prohibits a district board of trustees instead from making any severance payment if the superintendent's contract was terminated for cause or not renewed for cause or if the superintendent resigned in lieu of such termination or nonrenewal. The substitute does not remove a provision requiring the commissioner of education to reduce a district's foundation school program funds by any amount that the amount of a severance payment to a superintendent exceeds a specified threshold.

The substitute does not include the following:

- a provision subjecting an open-enrollment charter school to the bill's provisions relating to severance payments; and

- provisions limiting the applicability of the bill's provisions to severance payments made under certain agreements entered into on or after the bill's effective date.

The substitute does not provide for the bill's immediate effect if it receives the necessary vote for that purpose but makes the effective date September 1, 2019.