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By:  Hinojosa H.B. No. 2848

A BILL TO BE ENTITLED

AN ACT

relating to the review under the Texas Sunset Act of the Texas Education Agency's functions relating to special education services.

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

SECTION 1.  Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0105 to read as follows:

Sec. 29.0105.  SUNSET PROVISION REGARDING SPECIAL SERVICES. (a) In this section, "federal letter" means the letter dated January 11, 2018, issued to the commissioner by the United States Department of Education Office of Special Education Programs addressing the results of that office's visit in Texas and its findings of noncompliance.

(b)  Separate from the review of the agency required under Section 7.004, the agency is subject to a limited review under Chapter 325, Government Code (Texas Sunset Act), of the agency's functions, including its supervisory and monitoring functions, relating to the provision of special services, except that those functions may not be abolished. The review shall be conducted during the period in which state agencies abolished in 2021 are reviewed.

(c)  The Sunset Advisory Commission shall limit the review under this section to:

(1)  the efficacy and effectiveness with which the agency administers its special services functions, including its supervisory and monitoring functions relating to the provision of special services; and

(2)  the corrective actions taken by the agency in response to each finding of noncompliance in the federal letter, including the extent to which the agency has implemented and is complying with its strategic plan and any updates to that plan adopted in response to the federal letter.

(d)  This section expires September 1, 2021.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.