

AN ACT

relating to the operation of open-enrollment charter schools on Memorial Day.

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

SECTION 1. Section 12A.004(a), Education Code, is amended to read as follows:

(a) A local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

(1) a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12, except that a district may be exempt from Section 25.081(f), as added by Chapter 1144 (H.B. 441), Acts of the 85th Legislature, Regular Session, 2017;

(2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and Section 11.162;

(3) state curriculum and graduation requirements adopted under Chapter 28; and

(4) academic and financial accountability and sanctions under Chapters 39 and 39A.

SECTION 2. Section 25.081(f), Education Code, as added by Chapter 1144 (H.B. 441), Acts of the 85th Legislature, Regular Session, 2017, is amended to read as follows:

1 (f) A school district or open-enrollment charter school may
2 not provide student instruction on Memorial Day. If a school
3 district or open-enrollment charter school would be required to
4 provide student instruction on Memorial Day to compensate for
5 minutes of instruction lost because of school closures caused by
6 disaster, flood, extreme weather conditions, fuel curtailment, or
7 another calamity, the commissioner shall approve the instruction of
8 students for fewer than the number of minutes required under
9 Subsection (a).

10 SECTION 3. This Act applies beginning with the 2019-2020
11 school year.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 109 was passed by the House on March 20, 2019, by the following vote: Yeas 147, Nays 0, 1 present, not voting; that the House concurred in Senate amendments to H.B. No. 109 on May 22, 2019, by the following vote: Yeas 135, Nays 6, 2 present, not voting; and that the House adopted H.C.R. No. 185 authorizing certain corrections in H.B. No. 109 on May 24, 2019, by the following vote: Yeas 141, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 109 was passed by the Senate, with amendments, on May 15, 2019, by the following vote: Yeas 31, Nays 0; and that the Senate adopted H.C.R. No. 185 authorizing certain corrections in H.B. No. 109 on May 26, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor