

By: González of El Paso

H.B. No. 139

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a new open-enrollment charter school or campus.

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

SECTION 1. Section 12.1101, Education Code, is amended to read as follows:

Sec. 12.1101. NOTIFICATION OF CHARTER APPLICATION OR ESTABLISHMENT OF CAMPUS; OPEN DATE. (a) The commissioner by rule shall adopt a procedure for providing notice to the following persons on receipt by the commissioner of an application for a charter for an open-enrollment charter school under Section 12.110, ~~[or of]~~ notice of the establishment of a campus as authorized under Section 12.101(b-4), or a request for approval of an expansion amendment to establish a new campus submitted under Section 12.114:

(1) the board of trustees of each school district from which the proposed open-enrollment charter school or campus is likely to draw students, as determined by the commissioner; and

(2) each member of the legislature that represents the geographic area to be served by the proposed school or campus, as determined by the commissioner.

(b) The procedure adopted under Subsection (a) must require the notice to:

(1) be provided not later than 18 months before the date on which the open-enrollment charter school or campus is

1 anticipated to open; and

2 (2) include sufficient specificity regarding the
3 proposed location of the school or campus for each school district
4 described by Subsection (a)(1) to adequately anticipate any
5 resulting changes in enrollment at each district campus.

6 (c) A proposed open-enrollment charter school or campus for
7 which notice is provided under Subsection (a) may not open:

8 (1) before the anticipated opening date provided in
9 the notice; or

10 (2) before June 1 or later than October 15 of any year.

11 SECTION 2. Section 12.1101, Education Code, as amended by
12 this Act, applies beginning with a new open-enrollment charter
13 school or campus that is anticipated to open for the 2021-2022
14 school year.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2019.