

1-1 By: Lambert, Buckley (Senate Sponsor - Buckingham) H.B. No. 1597  
 1-2 (In the Senate - Received from the House April 11, 2019;  
 1-3 April 16, 2019, read first time and referred to Committee on  
 1-4 Education; May 10, 2019, reported favorably by the following vote:  
 1-5 Yeas 11, Nays 0; May 10, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Fallon	X			
1-12 Hall	X			
1-13 Hughes	X			
1-14 Paxton	X			
1-15 Powell	X			
1-16 Watson	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to establishing residency for purposes of admission into  
 1-22 public schools.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 25.001, Education Code, is amended by  
 1-25 adding Subsections (c-1) and (c-2) to read as follows:

1-26 (c-1) A person whose parent or guardian is an active-duty  
 1-27 member of the armed forces of the United States, including the state  
 1-28 military forces or a reserve component of the armed forces, may  
 1-29 establish residency for purposes of Subsection (b) by providing to  
 1-30 the school district a copy of a military order requiring the  
 1-31 parent's or guardian's transfer to a military installation in or  
 1-32 adjacent to the district's attendance zone.

1-33 (c-2) A person who establishes residency as provided by  
 1-34 Subsection (c-1) shall provide to the school district proof of  
 1-35 residence in the district's attendance zone not later than the 10th  
 1-36 day after the arrival date specified in the order described by that  
 1-37 subsection. For purposes of this subsection, "residence" includes  
 1-38 residence in a military temporary lodging facility.

1-39 SECTION 2. Section 12.104(b), Education Code, as amended by  
 1-40 Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts  
 1-41 of the 85th Legislature, Regular Session, 2017, is reenacted and  
 1-42 amended to read as follows:

1-43 (b) An open-enrollment charter school is subject to:

1-44 (1) a provision of this title establishing a criminal  
 1-45 offense; and

1-46 (2) a prohibition, restriction, or requirement, as  
 1-47 applicable, imposed by this title or a rule adopted under this  
 1-48 title, relating to:

1-49 (A) the Public Education Information Management  
 1-50 System (PEIMS) to the extent necessary to monitor compliance with  
 1-51 this subchapter as determined by the commissioner;

1-52 (B) criminal history records under Subchapter C,  
 1-53 Chapter 22;

1-54 (C) reading instruments and accelerated reading  
 1-55 instruction programs under Section 28.006;

1-56 (D) accelerated instruction under Section  
 1-57 28.0211;

1-58 (E) high school graduation requirements under  
 1-59 Section 28.025;

1-60 (F) special education programs under Subchapter  
 1-61 A, Chapter 29;

2-1 (G) bilingual education under Subchapter B,  
2-2 Chapter 29;  
2-3 (H) prekindergarten programs under Subchapter E  
2-4 or E-1, Chapter 29;  
2-5 (I) extracurricular activities under Section  
2-6 33.081;  
2-7 (J) discipline management practices or behavior  
2-8 management techniques under Section 37.0021;  
2-9 (K) health and safety under Chapter 38;  
2-10 (L) public school accountability under  
2-11 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;  
2-12 (M) the requirement under Section 21.006 to  
2-13 report an educator's misconduct;  
2-14 (N) intensive programs of instruction under  
2-15 Section 28.0213;  
2-16 (O) the right of a school employee to report a  
2-17 crime, as provided by Section 37.148; ~~and~~  
2-18 (P) bullying prevention policies and procedures  
2-19 under Section 37.0832;  
2-20 (Q) the right of a school under Section 37.0052  
2-21 to place a student who has engaged in certain bullying behavior in a  
2-22 disciplinary alternative education program or to expel the student;  
2-23 ~~and~~  
2-24 (R) the right under Section 37.0151 to report to  
2-25 local law enforcement certain conduct constituting assault or  
2-26 harassment;  
2-27 (S) ~~(P)~~ a parent's right to information  
2-28 regarding the provision of assistance for learning difficulties to  
2-29 the parent's child as provided by Sections 26.004(b)(11) and  
2-30 26.0081(c) and (d); and  
2-31 (T) establishment of residency under Section  
2-32 25.001.

2-33 SECTION 3. This Act applies beginning with the 2019-2020  
2-34 school year.

2-35 SECTION 4. To the extent of any conflict, this Act prevails  
2-36 over another Act of the 86th Legislature, Regular Session, 2019,  
2-37 relating to nonsubstantive additions to and corrections in enacted  
2-38 codes.

2-39 SECTION 5. This Act takes effect immediately if it receives  
2-40 a vote of two-thirds of all the members elected to each house, as  
2-41 provided by Section 39, Article III, Texas Constitution. If this  
2-42 Act does not receive the vote necessary for immediate effect, this  
2-43 Act takes effect September 1, 2019.

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