

By: Ashby

H.B. No. 2389

A BILL TO BE ENTITLED

AN ACT

relating to the applicability of certain requirements to certain nonprofit organizations regarding before-school and after-school programs established by school districts.

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

SECTION 1. Section 33.9031, Education Code, is amended by amending Subsection (c) and adding Subsection (c-1) to read as follows:

(c) Except as provided by Subsection (c-1), a [A] school district shall conduct a request for proposals procurement process to enable the district to determine if contracting with a child-care facility that provides a before-school or after-school program, as defined by Section 42.002, Human Resources Code, to provide the district's before-school or after-school program would serve the district's best interests. Following the request for proposals procurement process, the district may enter into a contract with a child-care facility or implement a before-school or after-school program operated by the district. If the district enters into a contract with a child-care facility, the contract must comply with the requirements of Section 44.031 and may not exceed a term of three years.

(c-1) A school district is not required to conduct a request for proposals procurement process under Subsection (c) to enter an agreement or contract with a nonprofit organization for the use of

1 district facilities if the organization is exempt from the
2 child-care licensing requirements under Section [42.041](#), Human
3 Resources Code.

4 SECTION 2. This Act takes effect September 1, 2019.