

By: Anchia

H.B. No. 3387

A BILL TO BE ENTITLED

AN ACT

1
2 relating to abolishing a dissolution committee established to
3 abolish certain county boards of education or boards of county
4 school trustees and appointing commissioners courts to assume the
5 duties of the dissolution committee.

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

7 SECTION 1. Section 15.001, Chapter 967 (S.B. 2065), Acts of
8 the 85th Legislature, Regular Session, 2017, is amended by amending
9 Subsections (b) and (s) and adding Subsections (t), (u), (v), (w),
10 (x), and (y) to read as follows:

11 (b) If on the effective date of this Act there is an existing
12 contract for transportation services to which a county board of
13 education, board of county trustees, or office of county school
14 superintendent is a party, it shall be wound down in the manner
15 described by Subsections (c)-(y) [~~(c)-(r)~~] of this section.

16 (s) Any dissolution committee created as provided by this
17 Act is abolished on September 1, 2019, and all duties and
18 obligations of the committee are transferred to the commissioners
19 court of the county in which the county board of education or board
20 of county school trustees was located. On September 1, 2019, the
21 commissioners court assumes ownership of and responsibility for all
22 assets, liabilities, and contracts of the county board of
23 education, board of county school trustees, or dissolution
24 committee and shall take control of any funds of the dissolution

1 committee, including any sinking fund created by the dissolution
2 committee as provided by Subsection (h) of this section [~~the date~~
3 ~~all debt obligations of the county board of education or board of~~
4 ~~county school trustees are paid in full and all assets distributed~~
5 ~~to component school districts)].~~

6 (t) The commissioners court shall continue to assess, levy,
7 and collect any ad valorem tax adopted by the county board of
8 education, board of county school trustees, or dissolution
9 committee. The commissioners court shall continue to levy the tax
10 annually at the rate adopted previously by the dissolution
11 committee until all debt of the county board of education or board
12 of county school trustees described in a final judgment of a
13 district court in litigation between the dissolution committee and
14 the county is discharged in accordance with the terms of that
15 judgment. Notwithstanding any other law, the commissioners court
16 is not required to take action each year to adopt the rate of the tax
17 authorized by this subsection. To the extent this subsection
18 conflicts with Subsection (m) of this section, this subsection
19 prevails.

20 (u) The commissioners court may deduct from the proceeds of
21 the ad valorem tax assessed, levied, and collected by the
22 commissioners court under Subsection (t) of this section a
23 reasonable and proportionate share for the administrative costs of
24 collecting the tax. Any delinquent tax shall be collected by the
25 commissioners court in the same manner that a delinquent county tax
26 is collected and used in accordance with administrative rule
27 adopted by the commissioner of education for delinquent taxes.

1 (v) The commissioners court shall pay all other debts or
2 claims not described by Subsection (t) of this section, including
3 claims for workers' compensation and unemployment compensation
4 filed on or before September 1, 2019, from funds reserved and
5 retained by the dissolution committee for that purpose.

6 (w) All claims against the county board of education, board
7 of county school trustees, or dissolution committee not filed on or
8 before September 1, 2019, are barred. A lawsuit may not be filed
9 against the county board of education, board of county school
10 trustees, or dissolution committee after September 1, 2019. This
11 provision takes precedence over any other statute of limitations.

12 (x) The commissioners court may use funds described by
13 Subsection (v) of this section to perform the duties related to the
14 abolishment of the dissolution committee, including:

15 (1) paying reasonable administrative expenses,
16 including legal fees and expenses; and

17 (2) employing any person needed to assist with the
18 abolishment and dissolution of the county board of education,
19 board of county school trustees, or dissolution committee.

20 (y) On completion of payment of all debt as provided by
21 Subsection (t) of this section and any other debts or claims under
22 Subsection (v) of this section, any remaining money must be
23 distributed on a proportionate basis to the school districts in the
24 county, based on the percentage of each district's number of
25 enrolled students to all students enrolled in the county in the
26 school year immediately preceding the distribution. To the extent
27 this subsection conflicts with Subsection (o) of this section, this

1 subsection prevails.

2 SECTION 2. Section 18, Chapter 925 (S.B. 1566), Acts of the
3 85th Legislature, Regular Session, 2017, is repealed.

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