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| BILL ANALYSIS |

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| H.B. 278 |
| By: Canales |
| Public Education |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE** In certain circumstances, the Texas Education Agency (TEA) may remove an elected school district board and appoint a board of managers to govern the district. Concerns have been raised regarding a recent incident in which an individual appointed to a board of managers had a significant criminal history that was not identified before the individual's appointment. H.B. 278 seeks to ensure this does not happen again by providing for a TEA review of the criminal history record information of each individual to be appointed to a board of managers. |
| **CRIMINAL JUSTICE IMPACT**It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY** It is the committee's opinion that rulemaking authority is expressly granted to the Texas Education Agency in SECTION 1 of this bill. |
| **ANALYSIS** H.B. 278 amends the Education Code to require the Texas Education Agency (TEA), before the commissioner of education appoints a board of managers to govern a school district or campus, to review the criminal history record information that relates to each person to be appointed by the commissioner to serve as a member of that board. The bill authorizes TEA to do the following:* obtain from the Department of Public Safety (DPS) criminal history record information maintained by DPS as necessary to comply with the review; and
* request and obtain criminal history record information through the FBI.

The bill requires TEA to adopt rules as necessary to implement these provisions.H.B. 278 amends the Government Code to make a conforming change. |
| **EFFECTIVE DATE** On passage, or, if the bill does not receive the necessary vote, September 1, 2021. |