

BILL ANALYSIS

H.B. 3610
By: Gervin-Hawkins
Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Open-enrollment charter schools are often required to lease space for school operations and campuses, particularly when a school is new or expanding. These properties may not be recognized as exempt from property taxation under certain circumstances, which increases the school's overall costs to educate its students and diverts state funds and resources from the classroom to other local government taxing authorities. H.B. 3610 seeks to address this issue by providing for a property tax exemption for certain real property leased to and used by a charter school.

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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3610 amends the Education Code to classify an open-enrollment charter school as a political subdivision for purposes of the following provisions of state law:

- Tax Code provisions exempting public property from property taxation; and
- with respect to any property purchased, leased, constructed, renovated, or improved with state funds after September 1, 2001, Civil Practice and Remedies Code provisions relating to the scope of a subdivision's right of action.

H.B. 3610 exempts property purchased or leased with funds received by a charter holder after September 1, 2001, from property taxation.

EFFECTIVE DATE

September 1, 2021.