87R2891 KJE-D

By:  González of El Paso H.B. No. 450

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a new open-enrollment charter school or campus and to the expansion of an open-enrollment charter school.

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

SECTION 1.  Section 12.101(b-10), Education Code, is amended to read as follows:

(b-10)  The commissioner by rule shall require [~~allow~~] a charter holder to provide written notice of the establishment of a new open-enrollment charter school campus under Subsection (b-4)(2) at least [~~up to~~] 18 months before the date on which the campus is anticipated to open. Notice provided to the commissioner under this section does not obligate the charter holder to open a new campus.

SECTION 2.  Section 12.1101, Education Code, is amended to read as follows:

Sec. 12.1101.  NOTIFICATION OF CHARTER APPLICATION OR ESTABLISHMENT OF CAMPUS. The commissioner by rule shall adopt a procedure for providing notice to the following persons on receipt by the commissioner of an application for a charter for an open-enrollment charter school under Section 12.110, [~~or of~~] notice of the establishment of a campus as authorized under Section 12.101(b-4), or a request for approval for an expansion amendment to establish a new campus submitted under Section 12.114:

(1)  the superintendent and the board of trustees of each school district from which the proposed open-enrollment charter school or campus is likely to draw students, as determined by the commissioner; and

(2)  each member of the legislature that represents the geographic area to be served by the proposed school or campus, as determined by the commissioner.

SECTION 3.  Section 12.114, Education Code, is amended by amending Subsections (c) and (d) and adding Subsection (e) to read as follows:

(c)  Not later than the 30th [~~60th~~] day after the date that a charter holder submits to the commissioner a completed request for approval for an expansion amendment, as defined by commissioner rule, including a new school amendment, the commissioner shall provide to the charter holder written notice of approval or disapproval of the amendment.

(d)  A charter holder:

(1)  shall submit a request for approval for an expansion amendment to establish a new campus at least 18 months before the date on which the campus is anticipated to open; and

(2)  may submit a request for approval for an expansion amendment not described by Subdivision (1) up to 18 months before the date on which the expansion will be effective.

(e)  The submission of a [~~A~~] request for approval for [~~of~~] an expansion amendment does not obligate the charter holder to complete the proposed expansion.

SECTION 4.  Sections 12.101 and 12.114, Education Code, as amended by this Act, apply only to a notice of the establishment of an open-enrollment charter school campus or a request for approval for an expansion amendment, as applicable, submitted on or after the effective date of this Act.

SECTION 5.  Section 12.1101, Education Code, as amended by this Act, applies beginning with a new open-enrollment charter school or campus that is anticipated to open for the 2023-2024 school year.

SECTION 6.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.