

By: Canales

H.B. No. 189

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a severance payment to a superintendent or  
3 administrator serving as educational leader and chief executive  
4 officer of an open-enrollment charter school.

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

6 SECTION 1. Section 12.104, Education Code, is amended by  
7 adding Subsection (b-4) to read as follows:

8 (b-4) Section 11.201(c) applies to an open-enrollment  
9 charter school as though the governing body of the school were the  
10 board of trustees of a school district and to the superintendent or,  
11 as applicable, the administrator serving as educational leader and  
12 chief executive officer of the school as though that person were the  
13 superintendent of a school district.

14 SECTION 2. Section 12.104(b-4), Education Code, as added by  
15 this Act, applies only to a severance payment made by the governing  
16 body of an open-enrollment charter school to a superintendent or  
17 administrator serving as educational leader and chief executive  
18 officer of the school under an agreement entered into on or after  
19 the effective date of this Act. A severance payment made by the  
20 governing body of an open-enrollment charter school to a  
21 superintendent or administrator serving as educational leader and  
22 chief executive officer of the school under an agreement entered  
23 into before the effective date of this Act is governed by the law in  
24 effect at the time the agreement was made, and that law is continued

1 in effect for that purpose.

2 SECTION 3. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2021.