

By: Moody, Thompson of Harris,
Thompson of Brazoria, et al.

H.B. No. 1252

A BILL TO BE ENTITLED

AN ACT

relating to the limitation period for filing a complaint and
requesting a special education impartial due process hearing.

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

SECTION 1. Subchapter A, Chapter 29, Education Code, is
amended by adding Section 29.0164 to read as follows:

Sec. 29.0164. LIMITATION PERIOD FOR FILING COMPLAINT AND
REQUESTING SPECIAL EDUCATION DUE PROCESS HEARING. The commissioner
or agency may not adopt or enforce a rule that establishes a shorter
period for filing a due process complaint alleging a violation of
state or federal special education laws and requesting an impartial
due process hearing than the maximum timeline designated under 20
U.S.C. Sections 1415(b)(6) and (f)(3).

SECTION 2. Section 29.0164, Education Code, as added by
this Act, applies only to a complaint filed and an impartial due
process hearing requested on or after the effective date of this
Act. A complaint filed and an impartial due process hearing
requested before the effective date of this Act are governed by the
law in effect at the time the complaint was filed and the impartial
due process hearing was requested, and the former law is continued
in effect for that purpose.

SECTION 3. As soon as practicable after the effective date
of this Act, the commissioner of education shall amend rules as
necessary to comply with Section 29.0164, Education Code, as added

1 by this Act.

2 SECTION 4. This Act takes effect September 1, 2022.