

BILL ANALYSIS

H.B. 1067
By: VanDeaver
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There is a case pending in the Texas Supreme Court on a detachment and annexation issue between neighboring independent school districts. Specifically, one district approved the petition requesting the detachment and annexation but the other district did not approve or deny the petition. The other district's failure to vote on the petition warranted the commissioner of education to hear the case and decide on an outcome, but this has been subject to review by the courts in a lengthy process. H.B. 1067 seeks to prevent future instances of lengthy judicial disputes and give a clear answer to all parties before filing suit by providing for the disapproval of a petition requesting detachment and annexation of district territory if the district's board of trustees does not vote on the petition by a specified deadline.

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. 1067 amends the Education Code to set the following deadlines for actions by the board of trustees of a public school district in relation to a petition for the detachment and annexation of district territory:

- a deadline of 10 days after the petition is received to give notice of the contemplated change to district territory;
- a deadline of 30 days after the petition is received to conduct a hearing on the detachment and annexation; and
- a deadline of 15 days after the hearing concludes to make its findings and adopt a resolution approving or disapproving the petition.

The bill establishes that the petition is considered to be disapproved if the board fails to adopt a resolution approving or disapproving the petition before the 45th day following the date the petition is received.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.