88R3167 ANG-F

By:  VanDeaver H.B. No. 1067

A BILL TO BE ENTITLED

AN ACT

relating to the detachment and annexation of school district territory by petition.

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

SECTION 1.  Section 13.051, Education Code, is amended by amending Subsections (a), (g), and (h) and adding Subsection (h-1) to read as follows:

(a)  In accordance with this section, territory may be detached from a school district and annexed to another school district that is contiguous to the detached territory. A petition requesting the detachment and annexation must be presented to the board of trustees of the district from which the territory is to be detached and to the board of trustees of the district to which the territory is to be annexed. Not later than the 30th day after the date the petition is received, each [~~Each~~] board of trustees to which a petition is required to be presented must conduct a hearing and adopt a resolution as provided by this section for the annexation to be effective.

(g)  Not later than the 10th day after the date [~~Immediately following receipt of~~] the petition is received [~~as required by this section~~], each affected board of trustees shall give notice of the contemplated change by publishing and posting a notice in the manner required for an election order under Section 13.003. The notice must specify the place and date at which a hearing on the matter shall be held. Unless the districts hold a joint hearing, the districts must hold hearings on separate dates. At each hearing, affected persons are entitled to an opportunity to be heard.

(h)  At the hearing, each board of trustees shall consider the educational interests of the current students residing or future students expected to reside in the affected territory and in the affected districts and the social, economic, and educational effects of the proposed boundary change. Not later than the 15th day after the date [~~After the conclusion of~~] the hearing concludes, each board of trustees shall make findings as to the educational interests of the current students residing or future students expected to reside in the affected territory and in the affected districts and as to the social, economic, and educational effects of the proposed boundary change and shall, on the basis of those findings, adopt a resolution approving or disapproving the petition. The findings and resolution shall be recorded in the minutes of each affected board of trustees and shall be reported to the commissioners court of the county to which the receiving district is assigned for administrative purposes by the agency and to the commissioners court of the county to which the district from which territory is to be detached is assigned for administrative purposes.

(h-1)  If the board of trustees of an affected district fails to adopt a resolution approving or disapproving the petition requesting the detachment and annexation on or before the 45th day following the date the petition is received, the petition is considered to be disapproved by that board of trustees.

SECTION 2.  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, 2023.