

By: Dutton

H.B. No. 3864

A BILL TO BE ENTITLED

AN ACT

relating to the authorization for and transfer of a charter for an adult high school charter school program.

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

SECTION 1. Section 12.255, Education Code, is amended by adding Subsections (b-1) and (f) and amending Subsections (d) and (e) to read as follows:

(b-1) A charter granted under former Section 29.259 may be transferred by the charter holder to a nonprofit entity described by Section 12.256 if the commissioner is provided notice of the transfer.

(d) A charter granted under former Section 29.259 or transferred by the charter holder to a nonprofit entity under Subsection (b-1) may not be counted toward the limit under Subsection (c).

(e) Except as provided by Subsection (f), a [A] nonprofit entity granted a charter under the program may not enroll more than 350 students in an adult education program operated under that charter during the first two years after the charter is granted.

(f) Subsection (e) [This subsection] does not apply to:

- (1) a charter granted under former Section 29.259;
- (2) a[~~, regardless of whether that~~] charter [~~is~~]
transferred under Subsection (b-1); or
- (3) a charter granted under Subsection (c) to a

1 nonprofit entity that operates an open-enrollment charter school
2 designated as a dropout recovery school under Section 39.0548 that
3 has graduated not less than 1,000 students in each of the three
4 school years preceding the school year in which the nonprofit
5 entity begins operating an adult education program ~~[to another~~
6 ~~nonprofit entity as provided by law]~~.

7 SECTION 2. This Act applies beginning with the 2023-2024
8 school year.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2023.