

By: Muñoz, Jr.

H.B. No. 5294

A BILL TO BE ENTITLED

AN ACT

relating to a proposition for certain school districts to be prohibited from imposing an ad valorem tax and to be operated and funded in the same manner as an open-enrollment charter school.

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

SECTION 1. Section 11.301, Education Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) Except as otherwise provided by this section, a [A] school district or county system operating under former Chapter 17, 18, 22, 25, 26, 27, or 28 on May 1, 1995, may continue to operate under the applicable chapter as that chapter existed on that date and under state law generally applicable to school districts that does not conflict with that chapter.

(c) Notwithstanding any other law, not later than November 1, 2023, the board of directors of a school district operating under former Chapter 26, as that chapter existed on May 1, 1995, shall order an election to be held on the first uniform election date that allows sufficient time to comply with any requirements of law on the question of prohibiting the district from imposing an ad valorem tax and providing for the district to be operated and funded in the same manner as an open-enrollment charter school under Subchapter D, Chapter 12.

(d) Notwithstanding any other law, if a majority of the

1 registered voters of the school district vote to approve the  
2 proposition under Subsection (c):

3 (1) the board shall:

4 (A) notify the agency of the approval of the  
5 proposition; and

6 (B) in coordination and consultation with the  
7 agency, develop a transition plan approved by the agency to provide  
8 for the district to be operated and funded in the same manner as an  
9 open-enrollment charter school under Subchapter D, Chapter 12; and

10 (2) the district may not impose an ad valorem tax for  
11 any purpose on or after the date on which the election was held.

12 SECTION 2. This Act takes effect September 1, 2023.