

BILL ANALYSIS

H.B. 610
By: Leo Wilson
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current state statute does not cap a superintendent's severance payment on early termination by a public school district board of trustees. The bill author has stated that there have been multiple instances in Texas in which districts that wish to terminate a superintendent's employment have been held hostage by those who try to negotiate substantial severance payments upon early termination and that these negotiations can take a long time and subsequently cost taxpayers over a million dollars each year. Additionally, the author has informed the committee that this type of situation could create a perverse incentive structure in which superintendents are emboldened to act with impunity and receive minimal consequences for improper conduct. H.B. 610 seeks to address this issue by prohibiting the board of trustees of an independent school district from making a severance payment to a superintendent that exceeds six months' salary and benefits based on the superintendent's terminated contract.

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. 610 amends the Education Code to prohibit the board of trustees of an independent school district from making a severance payment to a superintendent in an amount greater than six months' salary and benefits under the superintendent's terminated contract. The bill changes the amount of a severance payment to a superintendent from an amount equal to one year's salary and benefits under the terminated contract to an amount equal to six months' salary and benefits under that contract. The bill changes from one year to six months the minimum amount of salary and benefits of a superintendent's severance payment under the terminated contract the commissioner of education uses to reduce the district's foundation school program funds by any amount that is equal to or exceeds that minimum.

H.B. 610 applies only to a severance payment made by the board of trustees of an independent school district to a superintendent under an agreement entered into on or after the bill's effective date. A severance payment made under an agreement entered into before that date is governed by the law in effect at the time the agreement was made, and that law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.