

**BILL ANALYSIS**

H.B. 4687  
By: Gervin-Hawkins  
Public Education  
Committee Report (Unamended)

**BACKGROUND AND PURPOSE**

The 76th Legislature passed H.B. 211, which granted statutory immunity from liability and suit to open-enrollment charter schools and their employees, volunteers, and board members, to the same extent as school districts, their employees, and their trustees. This has been substantiated in case law, particularly with the 2020 Texas Supreme Court decision of *El Paso Education Initiative Inc. v. Amex Properties LLC*, in which the court held that charter schools and their charter holders had governmental immunity from suit and liability to the same extent as public schools. H.B. 4687 seeks to align all charter schools operating under state law with existing immunity protections.

**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. 4687 amends the Education Code to establish that a member of the governing body of a charter school campus or program is immune from liability and suit to the same extent as a public school district trustee. The bill additionally establishes that, in matters related to the operation of an adult high school charter school program, an entity eligible for a charter to operate such a program is immune from liability and suit to the same extent as a school district, and the program's employees and volunteers are immune from liability and suit to the same extent as district employees and volunteers. The bill establishes that a member of the governing body of the entity is immune from liability and suit to the same extent as a district trustee.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.