

By: Leo Wilson

H.B. No. 2168

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Commission on Federal Special Education Law and Funding.

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

SECTION 1. Chapter 29, Education Code, is amended by adding Subchapter M to read as follows:

SUBCHAPTER M. TEXAS COMMISSION ON FEDERAL SPECIAL EDUCATION LAW AND FUNDING

Sec. 29.501. DEFINITION. In this subchapter, "commission" means the Texas Commission on Federal Special Education Law and Funding.

Sec. 29.502. COMMISSION. (a) The commission is established to study and make recommendations regarding this state's approach to special education and compliance with the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.).

(b) The commission is composed of seven members, appointed as follows:

(1) one member with an interest in special education appointed by the governor;

(2) three senators appointed by the lieutenant governor; and

(3) three representatives appointed by the speaker of the house of representatives.

1 (c) In making appointments under Subsection (b), the
2 governor, the lieutenant governor, and the speaker of the house of
3 representatives shall coordinate to ensure that the membership of
4 the commission, to the extent possible, reflects the ethnic and
5 geographic diversity of this state.

6 Sec. 29.503. PRESIDING OFFICER. The governor shall
7 designate the presiding officer of the commission.

8 Sec. 29.504. COMPENSATION AND REIMBURSEMENT. A member of
9 the commission is not entitled to compensation for service on the
10 commission but is entitled to reimbursement for actual and
11 necessary expenses incurred in performing commission duties.

12 Sec. 29.505. ADMINISTRATIVE SUPPORT AND FUNDING. (a) The
13 agency shall provide administrative support for the commission.

14 (b) Funding for the administrative and operational expenses
15 of the commission shall be provided by legislative appropriation
16 made to the agency for that purpose.

17 (c) The agency:

18 (1) may procure goods and services to support the
19 commission's work, including research and consulting services; and

20 (2) in procuring goods and services for the commission
21 under Subdivision (1):

22 (A) is not required to comply with any
23 procurement law or procedure that applies to procurements by state
24 agencies, including Chapters 2155 and 2254, Government Code,
25 provided that the agency uses a procurement method that provides
26 the best value to the state given any applicable time constraints;
27 and

1 (B) may, but is not required to, consider the
2 best value standards provided by Sections 2155.074(b) and (b-1),
3 Government Code.

4 (d) The agency may not execute a contract for a good or
5 service for the commission unless the members of the commission
6 approve the contract by a majority vote.

7 Sec. 29.506. STUDY AND RECOMMENDATIONS. (a) The
8 commission shall conduct a study to:

9 (1) analyze the most effective statutory framework,
10 procedural safeguards, and practice approaches for public schools
11 to provide an appropriate education to students with disabilities;

12 (2) identify any provision of the Individuals with
13 Disabilities Education Act (20 U.S.C. Section 1400 et seq.) that:

14 (A) imposes an unreasonable burden on
15 implementing protections and educational initiatives for students
16 with disabilities; and

17 (B) does not effectively improve outcomes for
18 students with disabilities; and

19 (3) analyze the resources provided and used for and
20 controlled by compliance with the Individuals with Disabilities
21 Education Act (20 U.S.C. Section 1400 et seq.).

22 (b) Based on the study under Subsection (a), the commission
23 shall develop recommendations for state policy to provide the most
24 effective supports for students with disabilities and the most
25 positive state and local fiscal, student, and operational impacts
26 if this state refused to comply with a requirement of the
27 Individuals with Disabilities Education Act (20 U.S.C. Section 1400

1 et seq.).

2 Sec. 29.507. REPORT. Not later than December 31, 2028, the
3 commission shall submit to the governor and the legislature a
4 report regarding the commission's recommendations under Section
5 29.506.

6 Sec. 29.508. PUBLIC MEETINGS AND PUBLIC INFORMATION. (a)
7 The commission may hold public meetings as needed to fulfill the
8 commission's duties under this subchapter.

9 (b) The commission is not subject to Chapter 551, Government
10 Code.

11 Sec. 29.509. EXPIRATION. The commission is abolished and
12 this subchapter expires January 1, 2029.

13 SECTION 2. This Act takes effect September 1, 2025.