

By: Darby

H.B. No. 3190

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to school personnel and public school operations,  
3 including the eligibility of certain employees for unemployment  
4 compensation benefits.

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

6 SECTION 1. Section 12A.004(a), Education Code, is amended  
7 to read as follows:

8 (a) A local innovation plan may not provide for the  
9 exemption of a district designated as a district of innovation from  
10 the following provisions of this title:

11 (1) a state or federal requirement applicable to an  
12 open-enrollment charter school operating under Subchapter D,  
13 Chapter 12;

14 (2) Subchapters A, C, D, and E, Chapter 11, except that  
15 a district may be exempt from Sections 11.1511(b)(5) and (14) and  
16 Section 11.162;

17 (3) requirements related to class size limits under  
18 Section 25.112 and notice regarding class size under Section  
19 25.113;

20 (4) state curriculum and graduation requirements  
21 adopted under Chapter 28; and

22 (5) [~~4~~] academic and financial accountability and  
23 sanctions under Chapters 39 and 39A.

24 SECTION 2. Section 21.401, Education Code, is amended by

1 adding Subsection (e) to read as follows:

2 (e) A contract between a school district and a classroom  
3 teacher may not require the teacher to work more than 510 minutes  
4 during each day of service.

5 SECTION 3. Section 25.113, Education Code, is amended to  
6 read as follows:

7 Sec. 25.113. NOTICE OF CLASS SIZE. (a) Not later than the  
8 31st day after the first day of the school year, a school district  
9 shall post on the district's Internet website the class size of each  
10 elementary school class in the district, organized by grade level.

11 (a-1) A campus or district that is granted an exception  
12 under Section 25.112(d) from class size limits shall provide  
13 written notice of the exception to the parent of or person standing  
14 in parental relation to each student affected by the  
15 exception. The notice must be in conspicuous bold or underlined  
16 print and:

17 (1) specify the class for which an exception from the  
18 limit imposed by Section 25.112(a) was granted;

19 (2) state the number of children in the class for which  
20 the exception was granted; and

21 (3) be included in a regular mailing or other  
22 communication from the campus or district, such as information sent  
23 home with students.

24 (b) The notice required by Subsection (a-1) [~~(a)~~] must be  
25 provided not later than the 31st day after:

26 (1) the first day of the school year; or

27 (2) the date the exception is granted, if the

1 exception is granted after the beginning of the school year.

2 SECTION 4. Section 37.113, Education Code, is amended to  
3 read as follows:

4 Sec. 37.113. NOTIFICATION REGARDING BOMB THREAT OR  
5 TERRORISTIC THREAT. A school district that receives a bomb threat  
6 or terroristic threat relating to a campus or other district  
7 facility at which students are present shall provide notification  
8 of the threat as soon as possible to:

9 (1) the parent or guardian of or other person standing  
10 in parental relation to each student who is assigned to the campus  
11 or who regularly uses the facility, as applicable; and

12 (2) each teacher who is employed at the campus or whose  
13 duties require regular visitation to the facility, as applicable.

14 SECTION 5. Subchapter A, Chapter 38, Education Code, is  
15 amended by adding Sections 38.0085 and 38.045 to read as follows:

16 Sec. 38.0085. POSTING OF NURSE AVAILABILITY. Each school  
17 district and open-enrollment charter school shall post on the  
18 district's or school's Internet website the days and hours during  
19 which a nurse is present and available to students at each campus in  
20 the district.

21 Sec. 38.045. CUSTODIAN WORKLOAD POLICY. (a) The board of  
22 trustees of each school district shall adopt a policy regarding  
23 custodian workload for district facilities. The policy must  
24 establish benchmarks for the amount of square feet that may be  
25 assigned to a properly equipped school custodian for maintenance  
26 and custodial services during an eight-hour shift.

27 (b) The board must provide benchmarks under Subsection (a)

1 categorized by elementary, middle, and high school campuses, and  
2 other district facilities.

3 (c) The school district shall post the policy adopted under  
4 this section on the school district's Internet website.

5 SECTION 6. Section 207.041, Labor Code, is amended by  
6 adding Subsection (b-1) to read as follows:

7 (b-1) Subsection (b) does not apply to an individual if the  
8 services performed by the individual for an educational institution  
9 consist only of driving a school bus transporting students to and  
10 from school or a school-sponsored or school-related activity.

11 SECTION 7. Section 12A.004(a), Education Code, as amended  
12 by this Act, applies to each local innovation plan adopted under  
13 Chapter 12A, Education Code, regardless of whether the plan was  
14 adopted before, on, or after the effective date of this Act. A  
15 local innovation plan adopted or renewed before the effective date  
16 of this Act must comply with Section 12A.004(a), Education Code, as  
17 amended by this Act, not later than September 1, 2025.

18 SECTION 8. Section 21.401(e), Education Code, as added by  
19 this Act, applies only to a contract executed on or after the  
20 effective date of this Act. A contract executed before the  
21 effective date of this Act is governed by the law in effect on the  
22 day the contract was executed, and the former law is continued in  
23 effect for that purpose.

24 SECTION 9. Section 207.041(b-1), Labor Code, as added by  
25 this Act, applies only to a claim for unemployment compensation  
26 benefits filed with the Texas Workforce Commission on or after the  
27 effective date of this Act. A claim filed before the effective date

1 of this Act is governed by the law in effect on the date the claim  
2 was filed, and the former law is continued in effect for that  
3 purpose.

4 SECTION 10. The amendments by this Act to the Education Code  
5 apply beginning with the 2025-2026 school year.

6 SECTION 11. This Act takes effect immediately if it  
7 receives a vote of two-thirds of all the members elected to each  
8 house, as provided by Section 39, Article III, Texas Constitution.  
9 If this Act does not receive the vote necessary for immediate  
10 effect, this Act takes effect September 1, 2025.