

1-1 By: Farney, Villalba, Fallon H.B. No. 1170
 1-2 (Senate Sponsor - Lucio)
 1-3 (In the Senate - Received from the House May 11, 2015;
 1-4 May 11, 2015, read first time and referred to Committee on
 1-5 Education; May 21, 2015, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 10, Nays 0;
 1-7 May 21, 2015, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9 Taylor of Galveston	X			
1-10 Lucio	X			
1-11 Bettencourt	X			
1-12 Campbell	X			
1-13 Garcia	X			
1-14 Huffines	X			
1-15 Kolkhorst			X	
1-16 Rodríguez	X			
1-17 Seliger	X			
1-18 Taylor of Collin	X			
1-19 West	X			

1-21 COMMITTEE SUBSTITUTE FOR H.B. No. 1170 By: Lucio

1-22 A BILL TO BE ENTITLED
 1-23 AN ACT

1-24 relating to the applicability to open-enrollment charter schools of
 1-25 certain laws regarding local governments and political
 1-26 subdivisions.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Subchapter D, Chapter 12, Education Code, is
 1-29 amended by adding Section 12.1058 to read as follows:

1-30 Sec. 12.1058. APPLICABILITY OF OTHER LAWS. (a) An
 1-31 open-enrollment charter school is considered to be:

1-32 (1) a local government for purposes of Chapter 791,
 1-33 Government Code;

1-34 (2) a local government for purposes of Chapter 2259,
 1-35 Government Code, except that an open-enrollment charter school may
 1-36 not issue public securities as provided by Section 2259.031(b),
 1-37 Government Code;

1-38 (3) a political subdivision for purposes of Chapter
 1-39 172, Local Government Code; and

1-40 (4) a local governmental entity for purposes of
 1-41 Subchapter I, Chapter 271, Local Government Code.

1-42 (b) An open-enrollment charter school may elect to extend
 1-43 workers' compensation benefits to employees of the school through
 1-44 any method available to a political subdivision under Chapter 504,
 1-45 Labor Code. An open-enrollment charter school that elects to
 1-46 extend workers' compensation benefits as permitted under this
 1-47 subsection is considered to be a political subdivision for all
 1-48 purposes under Chapter 504, Labor Code. An open-enrollment charter
 1-49 school that self-insures either individually or collectively under
 1-50 Chapter 504, Labor Code, is considered to be an insurance carrier
 1-51 for purposes of Subtitle A, Title 5, Labor Code.

1-52 (c) Notwithstanding Subsection (a) or (b), an
 1-53 open-enrollment charter school operated by a tax exempt entity as
 1-54 described by Section 12.101(a)(3) is not considered to be a
 1-55 political subdivision, local government, or local governmental
 1-56 entity unless the applicable statute specifically states that the
 1-57 statute applies to an open-enrollment charter school.

1-58 SECTION 2. This Act takes effect immediately if it receives
 1-59 a vote of two-thirds of all the members elected to each house, as
 1-60 provided by Section 39, Article III, Texas Constitution. If this

2-1 Act does not receive the vote necessary for immediate effect, this
2-2 Act takes effect September 1, 2015.

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