

1-1 By: Farney, Villalba, Fallon H.B. No. 1171
 1-2 (Senate Sponsor - Lucio)
 1-3 (In the Senate - Received from the House May 11, 2015;
 1-4 May 18, 2015, read first time and referred to Committee on
 1-5 Education; May 22, 2015, reported favorably by the following vote:
 1-6 Yeas 10, Nays 0; May 22, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor of Galveston	X			
1-9 Lucio	X			
1-10 Bettencourt	X			
1-11 Campbell	X			
1-12 Garcia	X			
1-13 Huffines	X			
1-14 Kolkhorst			X	
1-15 Rodríguez	X			
1-16 Seliger	X			
1-17 Taylor of Collin	X			
1-18 West	X			

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to the applicability of certain immunity and liability
 1-23 laws to open-enrollment charter schools.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 12.1056, Education Code, is amended to
 1-26 read as follows:

1-27 Sec. 12.1056. IMMUNITY [~~FROM LIABILITY~~]. (a) In matters
 1-28 related to operation of an open-enrollment charter school, an
 1-29 open-enrollment charter school or charter holder is immune [~~from~~
 1-30 ~~liability~~] to the same extent as a school district, and the [~~its~~]
 1-31 employees and volunteers of the open-enrollment charter school or
 1-32 charter holder are immune [~~from liability~~] to the same extent as
 1-33 school district employees and volunteers. A member of the
 1-34 governing body of an open-enrollment charter school or of a charter
 1-35 holder is immune [~~from liability~~] to the same extent as a school
 1-36 district trustee.

1-37 (b) An open-enrollment charter school is a governmental
 1-38 unit as defined by Section 101.001, Civil Practice and Remedies
 1-39 Code, and is subject to liability only as provided by Chapter 101,
 1-40 Civil Practice and Remedies Code, and only in the manner that
 1-41 liability is provided by that chapter for a school district.

1-42 (c) An open-enrollment charter school is a local government
 1-43 as defined by Section 102.001, Civil Practice and Remedies Code,
 1-44 and a payment on a tort claim must comply with Chapter 102, Civil
 1-45 Practice and Remedies Code.

1-46 (d) An open-enrollment charter school is a local
 1-47 governmental entity as defined by Section 271.151, Local Government
 1-48 Code, and is subject to liability on a contract as provided by
 1-49 Subchapter I, Chapter 271, Local Government Code, and only in the
 1-50 manner that liability is provided by that subchapter for a school
 1-51 district.

1-52 SECTION 2. This Act takes effect immediately if it receives
 1-53 a vote of two-thirds of all the members elected to each house, as
 1-54 provided by Section 39, Article III, Texas Constitution. If this
 1-55 Act does not receive the vote necessary for immediate effect, this
 1-56 Act takes effect September 1, 2015.

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