

1-1 By: Campbell, Hall S.B. No. 722
 1-2 (In the Senate - Filed February 8, 2019; March 1, 2019, read
 1-3 first time and referred to Committee on Education; April 29, 2019,
 1-4 reported adversely, with favorable Committee Substitute by the
 1-5 following vote: Yeas 8, Nays 1; April 29, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio			X	
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Fallon	X			
1-12 Hall	X			
1-13 Hughes			X	
1-14 Paxton	X			
1-15 Powell	X			
1-16 Watson	X			
1-17 West		X		

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 722 By: Campbell

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

1-22 relating to a severance payment to a superintendent or
 1-23 administrator serving as educational leader and chief executive
 1-24 officer of a school district or an open-enrollment charter school.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 11.201(c), Education Code, is amended to
 1-27 read as follows:

1-28 (c) For purposes of this subsection, "severance payment"
 1-29 means any amount paid by the board of trustees of an independent
 1-30 school district to or in behalf of a superintendent on early
 1-31 termination of the superintendent's contract that exceeds the
 1-32 amount earned by the superintendent under the contract as of the
 1-33 date of termination, including any amount that exceeds the amount
 1-34 of earned standard salary and benefits that is paid as a condition
 1-35 of early termination of the contract. The board of trustees may not
 1-36 make a severance payment to a superintendent in an amount greater
 1-37 than one year's salary under the superintendent's terminated
 1-38 contract. The board of trustees that makes a severance payment to a
 1-39 superintendent shall report the terms of the severance payment to
 1-40 the commissioner. ~~[The commissioner shall reduce the district's~~
 1-41 ~~Foundation School Program funds by any amount that the amount of the~~
 1-42 ~~severance payment to the superintendent exceeds an amount equal to~~
 1-43 ~~one year's salary and benefits under the superintendent's~~
 1-44 ~~terminated contract.]~~ The commissioner may adopt rules as necessary
 1-45 to administer this subsection.

1-46 SECTION 2. Section 12.104, Education Code, is amended by
 1-47 adding Subsection (b-4) to read as follows:

1-48 (b-4) Section 11.201(c) applies to an open-enrollment
 1-49 charter school as though the governing body of the school were the
 1-50 board of trustees of a school district and to the superintendent or,
 1-51 as applicable, the administrator serving as educational leader and
 1-52 chief executive officer of the school as though that person were the
 1-53 superintendent of a school district.

1-54 SECTION 3. (a) Section 11.201(c), Education Code, as
 1-55 amended by this Act, applies only to a severance payment made by the
 1-56 board of trustees of an independent school district to a
 1-57 superintendent under an agreement entered into on or after the
 1-58 effective date of this Act. A severance payment made by the board
 1-59 of trustees of an independent school district to a superintendent
 1-60 under an agreement entered into before the effective date of this

2-1 Act is governed by the law in effect at the time the agreement was
2-2 made, and that law is continued in effect for that purpose.

2-3 (b) Section 12.104(b-4), Education Code, as added by this
2-4 Act, applies only to a severance payment made by the governing body
2-5 of an open-enrollment charter school to a superintendent or
2-6 administrator serving as educational leader and chief executive
2-7 officer under an agreement entered into on or after the effective
2-8 date of this Act. A severance payment made by the governing body of
2-9 an open-enrollment charter school to a superintendent or
2-10 administrator serving as educational leader and chief executive
2-11 officer under an agreement entered into before the effective date
2-12 of this Act is governed by the law in effect at the time the
2-13 agreement was made, and that law is continued in effect for that
2-14 purpose.

2-15 SECTION 4. This Act takes effect immediately if it receives
2-16 a vote of two-thirds of all the members elected to each house, as
2-17 provided by Section 39, Article III, Texas Constitution. If this
2-18 Act does not receive the vote necessary for immediate effect, this
2-19 Act takes effect September 1, 2019.

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