

1-1 By: Fallon S.B. No. 2293  
 1-2 (In the Senate - Filed March 8, 2019; March 21, 2019, read  
 1-3 first time and referred to Committee on Education; April 29, 2019,  
 1-4 reported favorably by the following vote: Yeas 8, Nays 2;  
 1-5 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 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the applicability of certain laws to open-enrollment  
 1-22 charter schools.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 12.1058(c), Education Code, is amended  
 1-25 to read as follows:

1-26 (c) Notwithstanding Subsection (a) or (b), an  
 1-27 open-enrollment charter school operated by a tax exempt entity as  
 1-28 described by Section 12.101(a)(3) is not considered to be a  
 1-29 political subdivision, local government, or local governmental  
 1-30 entity unless:

1-31 (1) the applicable statute specifically states that  
 1-32 the statute applies to an open-enrollment charter school; or

1-33 (2) a provision in this chapter states that a specific  
 1-34 statute applies to an open-enrollment charter school.

1-35 SECTION 2. Chapter 617, Government Code, is amended by  
 1-36 adding Section 617.0025 to read as follows:

1-37 Sec. 617.0025. APPLICABILITY OF CHAPTER TO OPEN-ENROLLMENT  
 1-38 CHARTER SCHOOL. (a) An open-enrollment charter school  
 1-39 established under Subchapter D, Chapter 12, Education Code, is a  
 1-40 political subdivision for purposes of this chapter.

1-41 (b) A member of the governing body of a charter holder, a  
 1-42 member of the governing body of an open-enrollment charter school,  
 1-43 and an officer of an open-enrollment charter school are considered  
 1-44 to be officials of a political subdivision and an employee of an  
 1-45 open-enrollment charter school is considered to be a public  
 1-46 employee under this chapter.

1-47 SECTION 3. With respect to Section 617.0025, Government  
 1-48 Code, as added by this Act, if an open-enrollment charter school  
 1-49 entered into a collective bargaining contract with a labor  
 1-50 organization before the effective date of this Act, Chapter 617,  
 1-51 Government Code, does not apply during the term of that contract. A  
 1-52 collective bargaining contract entered into before the effective  
 1-53 date of this Act may not be renewed.

1-54 SECTION 4. This Act takes effect immediately if it receives  
 1-55 a vote of two-thirds of all the members elected to each house, as  
 1-56 provided by Section 39, Article III, Texas Constitution. If this  
 1-57 Act does not receive the vote necessary for immediate effect, this  
 1-58 Act takes effect September 1, 2019.

1-59 \* \* \* \* \*