

BILL ANALYSIS

Senate Research Center

S.B. 949
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Intergovernmental Relations
5/10/2001
Committee Report (Amended)

DIGEST AND PURPOSE

Currently, charter schools are a type of public school that falls into three categories: (1) Home-Rule School District, (2) Campus/Campus Program, and (3) Open-Enrollment. The first two types are managed by local independent school districts; however, open-enrollment charter schools are regulated by the State Board of Education, and may feasibly locate in any area without the approval of elected officials. Also, these charter schools do not receive funding to construct new facilities, resulting in the schools establishing in existing buildings, including churches and vacant commercial spaces. As of late, open-enrollment charter schools have been located in questionable areas, such as shopping centers, against the approval of the surrounding community. As proposed, S.B. 949 implements public review procedures for open-enrollment charter schools by providing that these schools are subject to municipal zoning ordinances.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 12.103, Education Code, as follows:

Sec. 12.103. New heading: APPLICABILITY OF LAWS, RULES, AND ORDINANCES TO OPEN-ENROLLMENT CHARTER SCHOOL. Provides that an open-enrollment charter school is subject to federal and state laws and rules governing public schools and to municipal zoning ordinances governing public schools, with certain exceptions.

SECTION 2. Effective date: September 1, 2001.