

## **BILL ANALYSIS**

C.S.H.B. 1730  
By: Davis, Yvonne  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been noted that in some parts of Texas, the growth of open-enrollment charter schools has increased to the point that some schools are within a few blocks of one another. While charter schools provide parents with educational options, there are concerns that the density of charter school locations may well reduce the effectiveness of these schools and overburden local taxpayers. C.S.H.B. 1730 seeks to address these concerns by setting limits on the establishment of new or expanded charter schools based on proximity to existing charter schools.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 1730 amends the Education Code to add as a condition on the authority of a charter holder of an open-enrollment charter school to establish one or more new campuses under an existing charter held by the charter holder without approval of the commissioner of education that the new campus will not be located within one mile of another charter school campus, unless:

- the new campus will be an adult high school diploma and industry certification charter school or serve students in a residential treatment center or juvenile detention facility; or
- the other campus has been operating at the maximum student enrollment described by the other school's charter for at least the preceding two school years.

The bill subjects charter schools to school facility standards established by the State Board of Education. The bill requires the commissioner to deny an application for a charter for a charter school and to deny a request for a revision of a charter of a charter school campus or site to be located within one mile of another charter school campus, unless:

- the proposed school, campus, or site, as applicable, will be an adult high school diploma and industry certification charter school or serve students in a residential treatment center or juvenile detention facility; or
- the other campus has been operating at the maximum student enrollment described by the other school's charter for at least the preceding two school years.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1730 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes an exception to the bill's condition on a charter holder establishing a new campus under the holder's existing charter without commissioner approval for a new campus that will be an adult high school diploma and industry certification charter school or serve students in a residential treatment center or juvenile detention facility. The substitute exempts such a school, campus, or related site from the bill's requirements for the commissioner to deny an application for a charter for a charter school and to deny a request for a revision of a charter of a charter school campus or site to be located within one mile of another charter school campus.

The substitute includes a provision subjecting charter schools to certain school facility standards and a provision clarifying that the bill's provisions prevail over other acts relating to nonsubstantive additions and corrections to the extent of any conflict.