

BILL ANALYSIS

Senate Research Center
83R17544 VOO-D

C.S.S.B. 1457
By: Duncan
Government Organization
4/2/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas School for the Blind and Visually Impaired is a center for educational services for all blind and visually impaired students in Texas. The Texas School for the Deaf is established as a state agency to provide a continuum of direct educational services to students who are deaf or hard of hearing and who may have multiple disabilities.

C.S.S.B. 1457 transfers the maintenance and operation of the facilities for the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf to the Texas Facilities Commission (TFC). These schools will retain the title to their property, but will enter into a memorandum of understanding with TFC for maintenance and operation. This will allow the schools to focus on educational needs and have TFC maintain the schools' facilities along with other facilities in Austin maintained by TFC.

C.S.S.B. 1457 amends current law relating to management services for the physical facilities of the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf.

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 30.022, Education Code, by amending Subsection (h) and adding Subsection (h-1), as follows:

(h) Provides that, except as provided by Subsection (h-1), the governing body of the Texas School for the Blind and Visually Impaired (board) has jurisdiction, rather than has exclusive jurisdiction, over the physical assets of the school and is required to administer and spend appropriations made for the benefit of the school.

(h-1) Requires the Texas Facilities Commission (TFC) to provide facilities maintenance services for the physical facilities of the school, including facilities construction, cabling, facility reconfiguration, and any other services as provided by a memorandum of understanding between the board and TFC.

SECTION 2. Amends Section 30.052, Education Code, by amending Subsection (h) and adding Subsection (h-1), as follows:

(h) Provides that, except as provided by Subsection (h-1), the board has jurisdiction, rather than has exclusive jurisdiction, over the physical assets of the school and is required to administer and spend appropriations to carry out the purposes of the school as provided by Section 30.051 (Purpose of Texas School for the Deaf).

(h-1) Requires TFC to provide facilities maintenance services for the physical facilities of the school, including facilities construction, cabling, facility reconfiguration, and any other services as provided by a memorandum of understanding between the board and TFC.

SECTION 3. Amends Section 2165.007(b), Government Code, as follows:

(b) Requires TFC, notwithstanding any other law, to provide facilities management services in relation to all state agency facilities in Travis County or a county adjacent to Travis County. Provides that TFC's duty does not apply to:

(1)-(3) Makes no changes to these subdivisions;

(4) facilities owned or operated by the Texas Department of Juvenile Justice, rather than the Texas Youth Commission;

(5)-(11) Makes no changes to these subdivisions;

(12) facilities owned or operated by the Texas School for the Blind and Visually Impaired; or

(13) facilities owned or operated by the Texas School for the Deaf.

Makes nonsubstantive changes.

SECTION 4. (a) Provides that, not later than January 1, 2014, the following are transferred from the Texas School for the Blind and Visually Impaired to TFC:

(1) the powers, duties, functions, programs, and activities of the Texas School for the Blind and Visually Impaired relating to the maintenance of the school's physical facilities;

(2) any obligations and contracts of the Texas School for the Blind and Visually Impaired that are directly related to implementing a power, duty, function, program, or activity transferred under this subsection; and

(3) all property and records in the custody of the Texas School for the Blind and Visually Impaired that are related to a power, duty, function, program, or activity transferred under this subsection and all funds appropriated by the legislature for that power, duty, function, program, or activity.

(b) Requires TFC and the Texas School for the Blind and Visually Impaired to enter into a memorandum of understanding as provided by Section 30.022(h-1), Education Code, as added by this Act, that:

(1) identifies in detail the applicable powers and duties that are transferred between the two agencies by this Act; and

(2) establishes a plan for the identification and transfer of the records, personnel, property, and unspent appropriations of the Texas School for the Blind and Visually Impaired that are used for purposes of the TFC's powers and duties directly related to the maintenance of the school's physical facilities under Section 30.022 (Governance of the Texas School for the Blind and Visually Impaired), Education Code.

SECTION 5. (a) Provides that no later than January 1, 2014, the following are transferred from the Texas School for the Deaf to TFC:

(1) the powers, duties, functions, programs, and activities of the Texas School for the Deaf relating to the maintenance of the school's physical facilities;

(2) any obligations and contracts of the Texas School for the Deaf that are directly related to implementing a power, duty, function, program, or activity transferred under this subsection; and

(3) all property and records in the custody of the Texas School for the Deaf that are related to a power, duty, function, program, or activity transferred under this subsection and all funds appropriated by the legislature for that power, duty, function, program, or activity.

(b) Requires TFC and the Texas School for the Deaf to enter into a memorandum of understanding as provided by Section 30.052(h-1), Education Code, as added by this Act, that:

(1) identifies in detail the applicable powers and duties that are transferred between the two agencies by this Act; and

(2) establishes a plan for the identification and transfer of the records, personnel, property, and unspent appropriations of the Texas School for the Deaf that are used for purposes of the TFC's powers and duties directly related to the maintenance of the school's physical facilities under Section 30.052, Education Code.

SECTION 6. Effective date: September 1, 2013.