

## **BILL ANALYSIS**

H.B. 1252  
By: Moody  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding the statute of limitations for filing a due process complaint alleging a violation of state or federal special education laws and requesting a special education impartial due process hearing. It has been noted that, while federal law and an overwhelming majority of other states set the limitation period at two years, Texas has a one-year limitation period. There have been calls to extend the period within which these actions may be taken to make the process fairer for families navigating the already confusing special education system. H.B. 1252 seeks to align the limitation period in Texas with the period set by federal law.

### **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**

H.B. 1252 amends the Education Code to prohibit the commissioner of education or the Texas Education Agency from adopting or enforcing a rule that establishes a shorter period for filing a due process complaint alleging a violation of state or federal special education laws and requesting a special education impartial due process hearing than the maximum timeline designated under federal law. The bill requires the commissioner to amend rules as necessary to comply with this prohibition.

### **EFFECTIVE DATE**

September 1, 2022.