

BILL ANALYSIS

Senate Research Center
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S.B. 1216
By: Bettencourt
Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1216 abolishes the Harris County Department of Education. Prior to the establishment of independent school districts, a majority of Texans were educated via "county schools." These schools were the typical one room school houses and were overseen by a county school superintendent and county school board. As transportation improved and Texas became less rural, independent school districts were created and slowly the need for a county school board decreased. All Harris County students were moved to independent school districts by 1966, but Harris County Trustees (later changing its name to the Harris County Department of Education) did not disband as other boards did across Texas. Harris County Department of Education and the Dallas County Schools are the only county school districts remaining in Texas. Since 1978, the State of Texas has not funded county school trustees. Fifty-six percent of the Harris County Department of Education is been funded by fees for services and is allowed to collect a local property tax called an "equalization tax." Additionally, there is overlap of services provided between Region 4 Education Service Center (Region 4) and Harris County Department of Education (HCDE). Region 4 has a much larger span, providing service to 50 traditional school districts and 45 charter school districts in a seven county area. According to their website, "HCDE supports the educational needs of 25 school districts in Harris County."

S.B. 1216 dissolves the Harris County Department of Education and allows either the TEA Service Centers to fully assume the services they share or allows the 25 school districts that are served by the department to provide the services.

As proposed, S.B. 1216 amends current law relating to abolishing certain county boards of education, boards of county school trustees, and offices of county school superintendent.

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. (a) Provides that each county board of education, board of county school trustees, and office of county school superintendent in a county with a population of 3.3 million or more is abolished effective September 1, 2015.

(b) Transfers all assets, liabilities, and contracts of a board abolished by this Act to the commissioners court of the county in trust for the component school districts in the county. Requires the commissioners court to, not later than September 1, 2016, distribute the assets remaining after discharge of the board's liabilities to the component school districts in the county in proportionate shares equal to the proportion that the membership in each district bears to total membership in the county as of May 1, 2015. Provides that the commissioners court may liquidate board assets as necessary to discharge board liabilities and facilitate the distribution of assets. Requires a person authorized by the board to execute any documents necessary to complete the transfer of assets, liabilities, or contracts.

(c) Requires the component school districts of a board abolished by this Act to collect and use any delinquent taxes imposed by the board in the manner provided by rule of the commissioner of education.

SECTION 2. Amends Section 52.092(e), Election Code, to delete the reference to county school trustee (county with population of 3.3 million or more) from the enumerated list of county offices, and to make nonsubstantive changes.

SECTION 3. Repealer: Chapter 595 (H.B. 689), Acts of the 59th Legislature, Regular Session, 1965 (Article 2676c (Election of County School Trustees in Counties of 2,000,000 or More), (V.T.C.S.)).

SECTION 4. Effective date: September 1, 2015.