

AN ACT

relating to the operation of open-enrollment charter schools on Memorial Day.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 12A.004(a), Education Code, is amended to read as follows:

(a) A local innovation plan may not provide for the exemption of a district designated as a district of innovation from the following provisions of this title:

(1) a state or federal requirement applicable to an open-enrollment charter school operating under Subchapter D, Chapter 12, except that a district may be exempt from Section 25.081(f), as added by Chapter 1144 (H.B. 441), Acts of the 85th Legislature, Regular Session, 2017;

(2) Subchapters A, C, D, and E, Chapter 11, except that a district may be exempt from Sections 11.1511(b)(5) and (14) and Section 11.162;

(3) state curriculum and graduation requirements adopted under Chapter 28; and

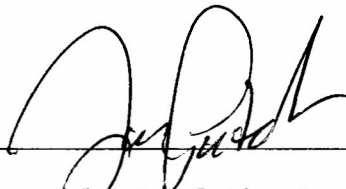
(4) academic and financial accountability and sanctions under Chapters 39 and 39A.

SECTION 2. Section 25.081(f), Education Code, as added by Chapter 1144 (H.B. 441), Acts of the 85th Legislature, Regular Session, 2017, is amended to read as follows:

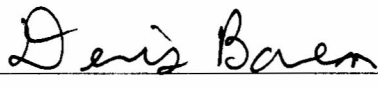
1 (f) A school district or open-enrollment charter school may
2 not provide student instruction on Memorial Day. If a school
3 district or open-enrollment charter school would be required to
4 provide student instruction on Memorial Day to compensate for
5 minutes of instruction lost because of school closures caused by
6 disaster, flood, extreme weather conditions, fuel curtailment, or
7 another calamity, the commissioner shall approve the instruction of
8 students for fewer than the number of minutes required under
9 Subsection (a).

10 SECTION 3. This Act applies beginning with the 2019-2020
11 school year.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2019.




President of the Senate



Speaker of the House

I certify that H.B. No. 109 was passed by the House on March 20, 2019, by the following vote: Yeas 147, Nays 0, 1 present, not voting; that the House concurred in Senate amendments to H.B. No. 109 on May 22, 2019, by the following vote: Yeas 135, Nays 6, 2 present, not voting; and that the House adopted H.C.R. No. 185 authorizing certain corrections in H.B. No. 109 on May 24, 2019, by the following vote: Yeas 141, Nays 1, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 109 was passed by the Senate, with amendments, on May 15, 2019, by the following vote: Yeas 31, Nays 0; and that the Senate adopted H.C.R. No. 185 authorizing certain corrections in H.B. No. 109 on May 26, 2019, by the following vote: Yeas 31, Nays 0.



Secretary of the Senate

APPROVED: _____

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:45 pm O'CLOCK

JUN 15 2019



Secretary of State

PROCLAMATION
BY THE
Governor of the State of Texas
41-3633

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto House Bill No. 109 as passed by the Eighty-Sixth Texas Legislature, Regular Session, because of the following objections:

Although the purpose of House Bill 109 was to keep Texas schools closed on Memorial Day, as written it would allow up to 859 school districts to remain open on the holiday. Memorial Day is an important holiday, intended to honor and remember the brave men and women who gave their lives in defense of our country. Teaching young Texans how to respectfully celebrate this holiday is critical, and we do not accomplish this goal with a law that may require them to attend school on Memorial Day. If the goal was to create more uniformity in how charter schools and school districts celebrate holidays, the Legislature should draft a more targeted bill next session.

Since the Eighty-Sixth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.



IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2019.



GREG ABBOTT
Governor of Texas

ATTESTED BY:



JOE ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:45 pm O'CLOCK
JUN 15 2019