

Chapter 62. Commissioner's Rules Concerning Options for Local Revenue Levels in Excess of Entitlement

§62.1001. Authority of Trustees; Duration of Agreements.

- (a) Trustees of independent school districts may not authorize any exclusive franchises on the right to negotiate on behalf of the district.
- (b) Consolidations under the Texas Education Code, Chapter 49, Subchapter B; detachments and annexations under Subchapter C; and tax base consolidations under Subchapter F are permanent in duration and districts may not enter into agreements that purport to limit the duration of the agreement. Nor may the parties create by agreement any right to cancel the agreement.

Statutory Authority: The provisions of this §62.1001 issued under the Texas Education Code, §49.006.

Source: The provisions of this §62.1001 adopted to be effective September 13, 1993, 18 TexReg 5743; amended to be effective May 7, 2003, 28 TexReg 3720; amended to be effective January 8, 2020, 45 TexReg 339; amended to be effective February 22, 2022, 47 TexReg 768.

§62.1011. Election Duties of Board of Trustees.

For the purposes of an election ordered under the Texas Education Code, Chapter 49, the board of trustees that orders the election shall perform any applicable duty assigned to the county judge or to the county commissioners court under the Texas Education Code, Chapter 13.

Statutory Authority: The provisions of this §62.1011 issued under the Texas Education Code, §49.006.

Source: The provisions of this §62.1011 adopted to be effective September 13, 1993, 18 TexReg 5743; amended to be effective May 7, 2003, 28 TexReg 3720; amended to be effective January 8, 2020, 45 TexReg 339.

§62.1031. Date of Agreement for Purposes of Determining Election Date.

For the purposes of the Texas Education Code, §49.012, the date of an agreement entered by the board of trustees of a school district under the Texas Education Code, Chapter 49, Subchapter E or F, is the date that the agreement is certified by the commissioner of education.

Statutory Authority: The provisions of this §62.1031 issued under the Texas Education Code, §49.006.

Source: The provisions of this §62.1031 adopted to be effective September 13, 1993, 18 TexReg 5743; amended to be effective May 7, 2003, 28 TexReg 3720; amended to be effective January 8, 2020, 45 TexReg 339.

§62.1051. Definition of Parcel Detached and Annexed by Commissioner.

For the purposes of implementing the Texas Education Code, Chapter 49, Subchapter G, a parcel shall be defined as one or more separately described items of real property, together with the improvements and personal property located on the property, that have the same taxable situs or that are:

- (1) contiguous to each other;
- (2) used as a unit or subject to the same predominant use; and
- (3) located within the boundaries of a single school district.

Statutory Authority: The provisions of this §62.1051 issued under the Texas Education Code, §49.006.

Source: The provisions of this §62.1051 adopted to be effective September 13, 1993, 18 TexReg 5743; amended to be effective May 7, 2003, 28 TexReg 3720; amended to be effective January 8, 2020, 45 TexReg 339.

§62.1072. Options and Procedures for Local Revenue in Excess of Entitlement, 2021-2022 and 2022-2023 School Years.

- (a) For the 2021-2022 school year, the processes and procedures that the Texas Education Agency (TEA) will use in the administration of the provisions of the Texas Education Code (TEC), Chapter 49, and the fiscal, procedural, and administrative requirements that school districts subject to the TEC, Chapter 49, must meet are described in the official TEA publication *Options and Procedures for Districts with Local Revenue in Excess of Entitlement 2021-2022 School Year*, provided in this subsection.
- [Figure: 19 TAC §62.1072\(a\)](#)
- (b) For the 2022-2023 school year, the processes and procedures that the TEA will use in the administration of the provisions of the TEC, Chapter 49, and the fiscal, procedural, and administrative requirements that school districts subject to the TEC, Chapter 49, must meet are described in the official TEA publication *Options and Procedures for Districts with Local Revenue in Excess of Entitlement 2022-2023 School Year*, provided in this subsection.
- [Figure: 19 TAC §62.1072\(b\)](#)
- (c) The specific processes, procedures, and requirements used in the manuals for districts with local revenue in excess of entitlement are established biennially by the commissioner of education and communicated to all school districts.
- (d) School district actions and inactions in previous school years and data from those school years will continue to be subject to the annual manual for districts with local revenue in excess of entitlement with respect to those years.

Statutory Authority: The provisions of this §62.1072 issued under the Texas Education Code, §49.006.

Source: The provisions of this §62.1072 adopted to be effective January 31, 2018, 43 TexReg 451; amended to be effective August 11, 2020, 45 TexReg 5511; amended to be effective February 22, 2022, 47 TexReg 768.