

## **BILL ANALYSIS**

Senate Research Center  
81R12422 KKA-F

C.S.S.B. 401  
By: Seliger  
Education  
3/3/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, Section 42.103(e) of the Education Code prevents school districts which are classified under Chapter 41 (Equalized Wealth Level) of the Education Code from utilizing the mid-sized district adjustment. Removing that provision would enable all school districts to utilize the formula adjustments that are applicable to them and increase equity within the school finance system because the increased cost of educating children in mid-sized districts applies regardless of a district's classification as Chapter 41 or Chapter 42 (Foundation School Program).

C.S.S.B. 401 repeals 42.103(e) (related to authorizing the commissioner of education to make basic allotment adjustments depending upon a district's wealth per student and equalized wealth level), Education Code, and prohibits the repeal of that section from increasing the amount of state and local funds to which a school district is entitled. C.S.S.B. 401 entitles a school district to certain necessary amounts of state revenue.

### **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 42.2516, Education Code, by amending Subsection (b) and adding Subsection (h-2), as follows:

(b) Entitles a school district, subject to Subsection (h-2), but notwithstanding any other provision of this title, to state revenue necessary to provide the district with the sum of certain amounts. Makes a nonsubstantive change.

(h-2) Prohibits the repeal of Section 42.103(e) by S.B. 401, Acts of the 81st Legislature, Regular Session, 2009, notwithstanding any other provision of this code, from increasing the amount of state and local funds to which a school district is entitled under Subsection (b).

SECTION 2. Repealer: Section 42.103(e) (related to authorizing the commissioner of education to make basic allotment adjustments depending upon a district's wealth per student and equalized wealth level), Education Code.

SECTION 3. Effective date: September 1, 2009.