

BILL ANALYSIS

Senate Research Center
85S11856 KLA-F

H.B. 30
By: Zerwas et al. (Nelson)
Finance
8/12/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties call for supplemental appropriations to be made to the Texas Education Agency along with related direction and adjustments regarding appropriations for public school finance.

H.B. 30 amends current law relating to making supplemental appropriations and giving direction and making adjustments regarding appropriations for public school finance.

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. APPROPRIATION: TEXAS EDUCATION AGENCY. (a) Provides that, in addition to other amounts appropriated to the Texas Education Agency (TEA) for the state fiscal biennium beginning September 1, 2017, certain appropriations are made to TEA from the Foundation School Fund (FSF), general revenue account number 0193, for Strategy A.1.1., FSP-Equalized Operations, as listed in the appropriations made to TEA in Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act).

(b) Requires the Legislative Budget Board, notwithstanding the sum-certain appropriations specified in Rider 3, Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the bill pattern of the appropriations to TEA, to determine the sum-certain appropriation to the Foundation School Program (FSP) for each year of the state fiscal biennium beginning September 1, 2017, based on the amount specified in that rider, the other provisions of the General Appropriations Act, and other law, including the provisions of this Act.

(c) Provides that, notwithstanding Rider 3, Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the bill pattern of the appropriations to TEA, for purposes of distributing the FSP basic tier state aid appropriated for the state fiscal biennium beginning September 1, 2017, and in accordance with Section 42.101 (Basic Allotment), Education Code, the basic allotment is established at \$5,350 for the state fiscal year beginning September 1, 2017, and \$5,350 for the state fiscal year beginning September 1, 2018.

(d) Requires the commissioner of education (commissioner), out of amounts appropriated to TEA in Subsection (a), to allocate \$15,000,000 for the state fiscal year beginning September 1, 2017, and \$15,000,000 for the state fiscal year beginning September 1, 2018, to making grants under Section 29.018 (Special Education Grant), Education Code, to school districts and open-enrollment charter schools to assist in covering the cost of educating students with disabilities. Provides that it is the intent of the legislature that:

(1) except as inconsistent with general law, expenses for which a school district or open-enrollment charter school are authorized to use money allocated under this section and awarded to the district or school as a grant include:

(A) fees for educational therapies or support services provided by a practitioner or other provider;

(B) transportation costs necessary for a student to receive educational support services;

(C) costs associated with purchasing instructional materials, as defined by Section 31.002 (Definitions), Education Code; and

(D) costs of computer hardware and software and other assistive technological devices intended to facilitate a student's learning; and

(2) the commissioner require a school district or open-enrollment charter school awarded grant money described by this subsection to report to TEA on the district's or school's use of that money.

SECTION 2. APPROPRIATION REDUCTION: TEXAS EDUCATION AGENCY. Provides that the appropriations to TEA for the state fiscal year beginning September 1, 2018, from the FSF, general revenue account number 0193, for Strategy A.1.1., FSP-Equalized Operations, made by Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), are reduced by \$1,927,000,000. Provides that it is the intent of the legislature that the August 2019 FSP payment to school districts be deferred and made in September 2019 in accordance with this Act and the Act described by Section 3(a)(2) of this Act.

SECTION 3. CONTINGENCY. (a) Provides that this Act takes effect only if the 85th Legislature, 1st Called Session, 2017, enacts the following and the Acts become law:

(1) H.B. 21 or another Act that improves equity in and reduces the amount of school property tax revenue subject to recapture under the public school finance system and increases this state's share of the funding for the FSP; and

(2) an Act authorizing the deferral of the August 2019 FSP payment to school districts.

(b) Provides that if an Act described by Subsection (a)(1) or an Act described by Subsection (a)(2) does not become law, this Act has no effect.

SECTION 4. EFFECTIVE DATE. Effective date, except as otherwise provided by this Act: upon passage or on the 91st day after the last day of the legislative session.