

BILL ANALYSIS

Senate Research Center

C.S.H.B. 30
By: Zerwas et al. (Nelson)
Finance
8/13/2017
Committee Report (Substituted)

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. (Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 30 amends current law relating to the transfer of certain appropriations to the Texas Education Agency and the adjustment of 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. (a) Provides that the amount of \$311,000,000 of the unencumbered appropriations from the general revenue fund for the state fiscal biennium ending August 31, 2019, made by S.B. 1, Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the Health and Human Services Commission (HHSC) is transferred to the Texas Education Agency (TEA) to be used by TEA during the state fiscal biennium as follows:

- (1) \$150,000,000 is allocated to fund financial hardship grants under Subchapter H, Chapter 42 (Foundation School Program), Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that enacts a new hardship grant program for the benefit of school districts that would otherwise experience a significant loss of revenue during the 2017–2018 or 2018–2019 school year;
- (2) \$60,000,000 is allocated to fund payments to open-enrollment charter schools under Section 12.106(d), Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that provides for funding to open-enrollment charter schools for instructional facilities;
- (3) \$60,000,000 is allocated for existing debt allotment under Section 46.032 (Allotment), Education Code, as amended by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that increases the level of funding under that allotment; and
- (4) \$41,000,000 is allocated for the small-sized district adjustment under Section 42.103 (Small and Mid-Sized District Adjustment), Education Code, as amended by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that addresses the entitlement under the adjustment for certain school district that contain less than 300 square miles.

(b) Requires HHSC to identify the strategies and objectives out of which the transfer under Subsection (a) is to be made.

(c) 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 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.

(d) Provides that if H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or another similar Act that addresses additional funding under the public school finance system for the components described in Subsection (a) also transfers and allocates to those components the amount of unencumbered appropriations in the manner provided by that subsection, the transfer and allocation under Subsection (a) does not occur.

SECTION 2. Provides that this Act takes effect only if the 85th Legislature, 1st Called Session, 2017, enacts H.B. 21 or another similar Act that addresses additional funding under the public school finance system for the components described in Section 1 of this Act and H.B. 21 or that similar Act becomes law. Provides that if H.B. 21 or another similar Act described by this section does not become law, this Act has no effect.

SECTION 3. Effective date, except as otherwise provided by this Act: upon passage or on the 91st day after the last day of the legislative session.