

By: Guillen

H.B. No. 131

A BILL TO BE ENTITLED

AN ACT

relating to an allotment under the public school finance system for certain students enrolled in excess of class size limitations.

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

SECTION 1. Subchapter C, Chapter 48, Education Code, is amended by adding Section 48.116 to read as follows:

Sec. 48.116. CLASS SIZE ALLOTMENT. (a) A school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.48 for each student in the district enrolled in a class in excess of the maximum number of students permitted to be enrolled in that class under Section 25.112(a) if the district has been granted an exception under Section 25.112(d) from class size limits for the two preceding school years.

(b) Notwithstanding Subsection (a), the total amount that may be used to provide allotments under that subsection for a school year may not exceed \$320 million. If the total amount of allotments to which school districts are entitled under Subsection (a) for a school year exceeds the amount permitted under this subsection, the commissioner shall proportionately reduce the amount of each district's allotment until the total amount for the allotments is equal to the amount permitted under this subsection.

SECTION 2. Section 12.106, Education Code, is amended by adding Subsections (d-1) to read as follows:

(d-1) Subject to Subsection (e), in addition to other

1 amounts provided by this section, in a geographic area within 5  
2 miles of a district, including the geographic area of the district,  
3 that has been granted an exception under Section 25.112(d) from  
4 class size limits for the two preceding school years, a charter  
5 holder is entitled to receive, for the open-enrollment charter  
6 school, funding per student in average daily attendance in an  
7 amount equal to the guaranteed level of state and local funds per  
8 student per cent of tax effort under Section 46.032(a) multiplied  
9 by the lesser of:

10 (1) the state average interest and sinking fund tax  
11 rate imposed by school districts for the current year; or

12 (2) a rate that would result in a total amount to which  
13 charter schools are entitled under this subsection for the current  
14 year equal to \$60 million.

15 SECTION 2. This Act takes effect September 1, 2024.