

The amendment to amendment No. 230 by Gallego is amended by striking the text of the amendment and substituting the following:

Amend **CSHB 1** as follows:

On page 19 Article III, Texas Education Agency, add Section 69. Class Sizes: No fund may be appropriated to any school district who enrolls more than 22 students in a kindergarten, first, second, third, and fourth grade class. That limitation does not apply during:

(1) any 12-week period of the school year selected by the district, in the case of a district whose average daily attendance is adjusted under Section 42.005(c); or

(2) the last 12 weeks of any school year in the case of any other district

(3) this applies beginning with the 2004-2005 school year.

This section does not apply to a school district with less than 1600 students in average daily attendance.