

Amend CSHB 5 as follows:

(1) In SECTION 1.02 of the bill, in proposed Section 41.404(a), Education Code, strike "Notwithstanding any other provision of this subtitle," and substitute "Notwithstanding any other provision of this subtitle, but subject to the limitations prescribed by Subsections (b) and (c)

(b) Each year, the commissioner shall determine for each school district whether the amount of state aid to which the district is entitled under Section 41.402(c) is less than the amount specified under Subsection (a). If the amount of state aid under Section 41.402(c) is less, the commissioner shall provide additional state aid in an amount equal to:

(1) 100 percent of the difference for the 2004-2005, 2005-2006, and 2006-2007 school years;

(2) 75 percent of the difference for the 2007-2008 school year;

(3) 50 percent of the difference for the 2008-2009 school year; and

(4) 25 percent of the difference for the 2009-2010 school year.

(c) Notwithstanding Subsection (b)(2), (3), or (4), if the portion of the difference not provided to a district under that subsection exceeds the amount that the district may obtain by imposing an enrichment tax under Section 42.003 at half the maximum enrichment tax rate for the applicable school year, including any state aid that the district may obtain under Chapter 42 in connection with that tax, the commissioner shall provide additional state aid so that the portion of the difference not provided to the district equals the amount the district may raise by imposing the enrichment tax described by this subsection.

(d) Additional state aid under this section shall be funded from general revenue and designated in a separate line item in the General Appropriations Act.

(e) A determination by the commissioner under this section is final and may not be appealed.

(f) The commissioner may adopt rules to implement this section.

(g) This section expires September 1, 2010.