

Amend CSHB 5 as follows:

(1) In SECTION 1.02 of the bill, following added Section 41.406, Education Code, insert the following:

Sec. 41.407. USE OF CERTAIN FUNDS. (a) In this section, "participating charter school" has the meaning assigned by Section 1, Article 3.50-8, Insurance Code.

(b) For each year, the commissioner shall certify to each school district or participating charter school the amount of additional funds to which the district or school is entitled due to the increases in state funding made by ____ .B. No. ____, Acts of the 78th Legislature, Regular Session, 2003.

(c) Notwithstanding any other provision of this code, a school district or participating charter school may use the following amount of funds only to ensure that each district or school employee receives a \$1,000 supplement for health coverage or compensation, in addition to the salary to which the employee would have received for the 2003-2004 school year under the district's or school's salary schedule for the 2002-2003 school year, if that schedule were in effect for the 2003-2004 school year:

(1) an amount equal to 65 percent of the amount certified for the district or school under Subsection (b); or

(2) if the following amount is less than the amount specified by Subdivision (1), the amount determined by multiplying \$1,000 by the number of district or school employees.

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

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

(2) In SECTION 1.02 of the bill, following added Section 41.406, Education Code, strike "Sections 41.407-41.450" and substitute "Sections 41.408-41.500".