

The text for HB1, 79th Legislature, 1st Called Session, 2005, is located on the Legislative Budget Board website at http://www.lbb.state.tx.us/The_LBB/Access/AppBills_LBEs.htm

By: Pitts, Luna

H.B. No. 1

ENGROSSED RIDER NO. 2

Amend CSHB 1 by adding the following rider:

____. **Receipt and Use of Grants, Federal Funds, and Royalties.** The Commissioner of Education is authorized to apply for, receive and disburse funds in accordance with plans or applications acceptable to the responsible federal agency or other public or private entity that are made available to the State of Texas for the benefit of education and such funds are appropriated to the specific purpose for which they are granted. It is the intent of the Legislature that when entering into any contract or plan with the federal government or other entity, prime consideration shall be given to preserving maximum local control for school districts. Any current or future contract or plan entered into by the Texas Education Agency with any entity, excluding the federal government, shall be non-exclusive. For the 2006-07 biennium, the Texas Education Agency is appropriated any royalties and license fees from the sale or use of education products developed through federal and state funded contracts managed by the agency. The Texas Education Agency shall report on a quarterly basis to the Legislative Budget Board and to the Governor on grants or earnings received pursuant to the provisions of this rider, and on the planned use of those funds.

Any grant or royalty balances as of August 31, 2006 are appropriated for the 2007 fiscal year for the same purpose.

ENGROSSED RIDER NO. 3

Amend the Guillen amendment to CSHB 1 at the beginning of the third sentence of the proposed rider by striking "Any" and substituting "It is also the intent of the legislature that any".

ENGROSSED RIDER NO. 4

Amend C.S.H.B. No. 1 in SECTION 1 by inserting the following appropriately-numbered rider to read as follows:

"___. UNFUNDED PUBLIC EDUCATION MANDATES. (a) From the funds appropriated by this Act, the Texas Education Agency shall publish, on or before the September 1st following a regular session of the legislature and on or before the 90th day after the last day of a special session of the legislature, a list of legislative public education mandates for which the legislature has not provided reimbursement as provided by this rider and that were enacted by the legislature during that legislative session. In preparing the list of legislative public education mandates, the Texas Education Agency shall (1) remove from the list of legislative public education mandates for a previous legislative session a legislative public education mandate for which the legislature has provided reimbursement as provided by this rider or that is no longer in effect; and (2) add to the list a legislative public education mandate from a previous legislative session for which reimbursement was provided as provided by this rider in the previous session but for which reimbursement was not provided in the most recent regular session or in any subsequent special session. A legislative public education mandate is considered to be a mandate for which the legislature has provided reimbursement if the legislature

1 appropriates or otherwise provides funds for a state fiscal year,
2 other than revenue of the school district, estimated to be
3 sufficient to meet the cost incurred by all affected school
4 districts in the fiscal year of financing the expenditure. The
5 Texas Education Agency shall deliver the list prepared under this
6 rider to the secretary of state for publication in the Texas
7 Register. Additionally, from the funds appropriated by this Act,
8 the Agency shall, before September 1st of the even-numbered year
9 before the second anniversary of the date of enactment of a
10 legislative public education mandate identified by the Agency under
11 this rider: (1) review the legislative history of the mandate; (2)
12 conduct an evaluation on the benefits of the mandate and the costs
13 of the mandate on affected political subdivisions; and (3) present
14 a written report to the legislature and the governor on the Agency's
15 findings. As used in this rider, "legislative public education
16 mandate" means a statutory provision enacted by the legislature
17 that requires a school district to establish, expand, or modify an
18 activity in a way that requires an expenditure of revenue that would
19 not have been required in the absence of the provision.

H.B. No. 1

I certify that the foregoing 4 amendments to H.B. No. 1 on 3rd Reading were adopted by the House on July 6, 2005.

Chief Clerk of the House