

By: Lucio

S.B. No. 1072

A BILL TO BE ENTITLED

AN ACT

relating to a study by the Texas Education Agency of unfunded state educational mandates imposed on school districts.

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

SECTION 1. Subchapter B, Chapter 7, Education Code, is amended by adding Section 7.032 to read as follows:

Sec. 7.032. STUDY OF UNFUNDED STATE EDUCATIONAL MANDATES.

(a) For purposes of this section:

(1) "State educational mandate" means a provision of a state statute or rule that requires:

(A) school district action to implement the provision; and

(B) an expenditure by a school district that would not have been required in the absence of the provision.

(2) "Unfunded state educational mandate" means a state educational mandate for which the legislature has not appropriated funds estimated to be sufficient to meet the state's share of financing the expenditure.

(b) The agency shall conduct a study of unfunded state educational mandates. The study must:

(1) identify existing unfunded state educational mandates, including any mandates created by a statute enacted by the 79th Legislature, Regular Session, 2005, or a rule adopted under such a statute; and

1 (2) estimate the cost to school districts of complying
2 with each unfunded state educational mandate the agency identifies.

3 (c) Each school district shall cooperate with the agency by
4 providing information relating to the district's cost of
5 implementing an unfunded state educational mandate. At the
6 commissioner's request, the Legislative Budget Board, state
7 auditor, comptroller, and other state officers and agencies shall
8 assist the agency in conducting the study and analyzing information
9 obtained from school districts.

10 (d) The agency shall:

11 (1) prepare a report containing the results of the
12 study conducted under this section; and

13 (2) deliver the report to the governor, lieutenant
14 governor, and each member of the legislature not later than
15 December 15, 2006.

16 (e) This section expires January 15, 2007.

17 SECTION 2. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2005.