

Amend Floor Amendment No. 1 to **SB 1848** on page 1 of the amendment, between lines 2 and 3, by adding the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS accordingly:

SECTION _____. Sections 42.253(a) and (c), Education Code, are amended to read as follows:

(a) For each school year the commissioner shall determine:

(1) the amount of money to which a school district is entitled under Subchapters B and C;

(2) the amount of money to which a school district is entitled under Sections 42.2516(b)(2) and (3);

(3) the amount of money to which a school district is entitled under Subchapter F;

(4) [~~(3)~~] the amount of money allocated to the district from the available school fund;

(5) [~~(4)~~] the amount of each district's tier one local share under Section 42.252; and

(6) [~~(5)~~] the amount of each district's tier two local share under Section 42.302.

(c) Each school district is entitled to an amount equal to the difference for that district between the sum of Subsections (a)(1), [~~and~~] (a)(2), and (a)(3) and the sum of Subsections [~~(a)(3)~~], (a)(4), [~~and~~] (a)(5), and (a)(6).

SECTION _____. Section 42.259(b), Education Code, is amended to read as follows:

(b) Payments from the foundation school fund to each category 1 school district shall be made as follows:

(1) for amounts to which a district is entitled under Section 42.2516(b)(2) or (3):

(A) 15 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) [~~(2)~~] 80 percent of the yearly entitlement of the district shall be paid in eight equal installments to be made on or before the 25th day of October, November, December, January, March, May, June, and July; and

(C) [~~(3)~~] five percent of the yearly entitlement

of the district shall be paid in an installment to be made on or before the 25th day of February; and

(2) for all other amounts to which a district is entitled:

(A) 14 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) 45 percent of the yearly entitlement of the district shall be paid in five equal installments to be made on or before the 25th day of October, November, December, June, and July;

(C) 33 percent of the yearly entitlement of the district shall be paid in three equal installments to be made on or before the 25th day of January, March, and May;

(D) six percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of February; and

(E) two percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of April.

SECTION ____ . Sections 42.259(c), (d), and (f), Education Code, as effective until August 1, 2009, are amended to read as follows:

(c) Payments from the foundation school fund to each category 2 school district shall be made as follows:

(1) for amounts to which a district is entitled under Section 42.2516(b)(2) or (3):

(A) 22 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) [~~2~~] 18 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October;

(C) [~~3~~] 9.5 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of November;

(D) [~~4~~] 7.5 percent of the yearly entitlement of the district shall be paid in an installment to be made on or

before the 25th day of April;

(E) [~~5~~] five percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of May;

(F) [~~6~~] 10 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of June;

(G) [~~7~~] 13 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of July; and

(H) [~~8~~] 15 percent of the yearly entitlement of the district shall be paid in an installment to be made after the fifth day of September and not later than the 10th day of September of the calendar year following the calendar year of the payment made under Paragraph (A); and

(2) for all other amounts to which a district is entitled:

(A) 15 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) 13 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October;

(C) 14 percent of the yearly entitlement of the district shall be paid in two equal installments to be made on or before the 25th day of November and June;

(D) 18 percent of the yearly entitlement of the district shall be paid in three equal installments to be made on or before the 25th day of January, February, and March;

(E) 11 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of April;

(F) 10 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of May;

(G) nine percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the

25th day of July; and

(H) 10 percent of the yearly entitlement of the district shall be paid in an installment to be made after the fifth day of September and not later than the 10th day of September of the calendar year following the calendar year of the payment made under Paragraph (A) [~~Subdivision (1)~~].

(d) Payments from the foundation school fund to each category 3 school district shall be made as follows:

(1) for amounts to which a district is entitled under Section 42.2516(b)(2) or (3):

(A) 45 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) [~~(2)~~] 35 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October; and

(C) [~~(3)~~] 20 percent of the yearly entitlement of the district shall be paid in an installment to be made after the fifth day of September and not later than the 10th day of September of the calendar year following the calendar year of the payment made under Paragraph (A); and

(2) for all other amounts to which a district is entitled:

(A) seven percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) six percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October;

(C) 85 percent of the yearly entitlement of the district shall be paid in five equal installments to be made on or before the 25th day of January, February, March, April, and May; and

(D) two percent of the yearly entitlement of the district shall be paid in an installment to be made after the fifth day of September and not later than the 10th day of September of the calendar year following the calendar year of the payment made under Paragraph (A) [~~Subdivision (1)~~].

(f) Except as provided by Subsection (c)(1)(H) or (2)(H) or (d)(1)(C) or (2)(D) [~~(c)(8) or (d)(3)~~], any previously unpaid additional funds from prior years owed to a district shall be paid to the district together with the September payment of the current year entitlement.

SECTION ____ . Sections 42.259(c) and (d), Education Code, as effective August 1, 2009, are amended to read as follows:

(c) Payments from the foundation school fund to each category 2 school district shall be made as follows:

(1) for amounts to which a district is entitled under Section 42.2516(b)(2) or (3):

(A) 22 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) [~~(2)~~] 18 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October;

(C) [~~(3)~~] 9.5 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of November;

(D) [~~(4)~~] 7.5 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of April;

(E) [~~(5)~~] five percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of May;

(F) [~~(6)~~] 10 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of June;

(G) [~~(7)~~] 13 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of July; and

(H) [~~(8)~~] 15 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of August; and

(2) for all other amounts to which a district is entitled:

(A) 15 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) 13 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October;

(C) 14 percent of the yearly entitlement of the district shall be paid in two equal installments to be made on or before the 25th day of November and June;

(D) 18 percent of the yearly entitlement of the district shall be paid in three equal installments to be made on or before the 25th day of January, February, and March;

(E) 11 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of April;

(F) 20 percent of the yearly entitlement of the district shall be paid in two equal installments to be made on or before the 25th day of May and August; and

(G) nine percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of July.

(d) Payments from the foundation school fund to each category 3 school district shall be made as follows:

(1) for amounts to which a district is entitled under Section 42.2516(b)(2) or (3):

(A) 45 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) [~~2~~] 35 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October; and

(C) [~~3~~] 20 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of August; and

(2) for all other amounts to which a district is entitled:

(A) seven percent of the yearly entitlement of

the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(B) six percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October;

(C) 85 percent of the yearly entitlement of the district shall be paid in five equal installments to be made on or before the 25th day of January, February, March, April, and May; and

(D) two percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of August.

SECTION ____ . Subchapter E, Chapter 42, Education Code, is amended by adding Section 42.2591 to read as follows:

Sec. 42.2591. MODIFICATION OF PAYMENT SCHEDULE. (a) For the fiscal year ending August 31, 2008, or August 31, 2009, a school district may apply to the commissioner for a modification of the payment schedule provided by Section 42.259, as amended by S.B. No. 1848, Acts of the 80th Legislature, Regular Session, 2007, if application of that payment schedule would cause the district financial hardship as a result of the effect of the schedule on the district's cash flow.

(b) A modification granted under this section expires at the end of the fiscal year for which the modification is granted. A school district may seek a modification for each fiscal year.

(c) A modification granted under this section may affect only the timing of payments made under the schedule provided by Section 42.259, and may not result in a net change to the total amount of funds a school district receives during the fiscal year for which the modification is granted.

(d) The commissioner shall adopt rules necessary to implement this section.

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

(f) This section expires September 1, 2009.