

By: Eiland

H.B. No. 2193

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the applicability to certain school districts of
3 provisions related to the equalized wealth level and state aid for
4 property tax reduction.

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

6 SECTION 1. Subchapter A, Chapter 41, Education Code, is
7 amended by adding Section 41.0041 to read as follows:

8 Sec. 41.0041. APPLICABILITY OF PROVISIONS TO CERTAIN
9 DISTRICTS. (a) This section applies only to a school district
10 that, in a school year:

11 (1) is entitled to state revenue under Section 42.2516
12 in an amount equal to or greater than the cost to the district to
13 purchase attendance credits under Subchapter D in an amount
14 sufficient to reduce the district's wealth per student to the
15 equalized wealth level; and

16 (2) has not previously been required to take action
17 under this chapter to reduce its wealth per student to the equalized
18 wealth level.

19 (b) Except as provided by Subsection (e), a school district
20 to which this section applies is not required to:

21 (1) exercise an option under Section 41.003; or

22 (2) conduct an election under Section 41.096.

23 (c) Notwithstanding Section 41.004(c), a school district to
24 which this section applies may adopt a tax rate without the

1 commissioner's certification that the district has achieved the
2 equalized wealth level.

3 (d) Except as provided by Subsection (e), the commissioner
4 may not take action under Subchapter G or H regarding a school
5 district to which this section applies.

6 (e) The commissioner shall make an initial determination as
7 to whether this section applies to a school district for a school
8 year not later than the July 25 preceding the school year. If the
9 commissioner later determines that this section does not apply to a
10 district:

11 (1) the school district must:

12 (A) execute an agreement to purchase attendance
13 credits under Subchapter D in an amount necessary to reduce the
14 district's wealth per student to the equalized wealth level; and

15 (B) obtain voter approval of the agreement
16 described by Paragraph (A) in an election under Section 41.096; or

17 (2) the commissioner must order:

18 (A) the detachment of property under Subchapter G
19 in an amount to reduce the district's wealth per student to the
20 equalized wealth level; or

21 (B) the consolidation of the district with one or
22 more other districts under Subchapter H.

23 SECTION 2. Section 42.2516, Education Code, is amended by
24 adding Subsection (i-1) to read as follows:

25 (i-1) For a school district to which Section 41.0041
26 applies, the amount of state revenue under this section to which the
27 district is entitled is reduced by an amount equal to the cost to

1 the district to purchase attendance credits under Subchapter D,
2 Chapter 41, in an amount sufficient to reduce the district's wealth
3 per student to the equalized wealth level.

4 SECTION 3. The applicability of Chapter 41, Education Code,
5 to a school district for the 2006-2007 or a later school year is
6 determined in compliance with Sections 41.0041 and 42.2516(i-1),
7 Education Code, as added by this Act.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2007.