By: Zedler, Creighton, Kolkhorst, et al.   H.B. No. 2560

A BILL TO BE ENTITLED

1   AN ACT

2   relating to the availability of certain school district financial

3   information on districts' Internet websites.

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

5   SECTION 1. Subchapter A, Chapter 44, Education Code, is

6   amended by adding Sections 44.0031 through 44.0034 to read as

7   follows:

8   Sec. 44.0031. ELECTRONIC CHECKING ACCOUNT TRANSACTION

9   REGISTER. (a) A school district shall maintain the transaction

10   register for the district's checking account in a searchable

11   electronic spreadsheet format, such as a portable document format

12   (PDF) or similar file type, in which the transaction register is

13   readily available for purposes of Subsections (d) and (e). Except

14   as provided by Subsection (b) or (c), the electronic checking

15   account transaction register must include for each check written

16   from a district checking account:

17   (1) the transaction amount;

18   (2) the name of the payee; and

19   (3) either:

20   (A) a statement of the purpose of the expenditure

21   for which the check was written; or

22   (B) identification of the purpose of the

23   expenditure, using the function code assigned to the expenditure

24   for purposes of meeting state reporting requirements.

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1   (a-1) Notwithstanding Subsection (a), beginning September

2   1, 2007, a school district's electronic checking account

3   transaction register must contain the information required by

4   Subsections (a)(1) and (2) for each check dated on or after August

5   1, 2007. Beginning September 1, 2008, a district's electronic

6   checking account transaction register must contain the information

7   required by Subsections (a)(1) through (3) for each check dated on

8   or after August 1, 2008. This subsection expires October 1, 2008.

9   (a-2) If the school district complies with Subsection

10 (a)(3) in the manner provided by Subsection (a)(3)(B), the district

11 shall post on the district's Internet website:

12   (1) a description of each function code used for state

13 reporting requirements; or

14   (2) a link to a page on the agency's Internet website

15 that describes each function code used for state reporting

16 requirements.

17 (b) A school district may not include in the district's

18 electronic checking account transaction register a check issued to

19 a district employee in payment of:

20   (1) salary, wages, or an employment stipend; or

21   (2) a workers' compensation income benefit, medical

22 benefit, death benefit, or burial benefit that is issued by a school

23 district operating as a self-insurer under Chapter 504, Labor Code.

24 (c) This section does not apply to a checking account

25 maintained by a school district or school campus solely for a

26 student activity fund.

27 (d) A school district shall prominently post the electronic

1 checking account transaction register at all times on the

2 district's Internet website for viewing and downloading by

3 interested persons.

4   (e) A school district shall share data from the electronic

5 checking account transaction register with any interested person

6 who requests the data.

7   (f) A school district shall:

8   (1) update the electronic checking account

9 transaction register at least once each month, not later than the

10 30th day after the closing date of the most recent monthly statement

11 for the checking account; and

12   (2) maintain each transaction or listing in the

13 electronic checking account transaction register on the district's

14 Internet website until the second anniversary of the date of the

15 transaction or listing.

16   Sec. 44.0032. POSTING OF DISTRICT CREDIT CARD TRANSACTIONS.

17 (a) A school district shall post on the district's Internet website

18 a monthly listing of each transaction made using a credit card

19 issued to:

20   (1) the district; or

21   (2) a district officer or employee for use in

22 connection with district business.

23   (b) The listing of credit card transactions under

24 Subsection (a) must include, for each transaction:

25   (1) the month and year of the transaction;

26   (2) the amount of the transaction; and

27   (3) the name of the payee.

1   (c) A school district may comply with Subsection (a) by

2 posting a credit card statement on the district's Internet website.

3 Before posting a credit card statement as permitted by this

4 subsection, a school district shall remove or obliterate the name

5 of the credit card issuer, the credit card number, the name of the

6 person to whom the card is issued, the day of the month on which each

7 transaction shown was made, and the expiration date.

8   (d) A school district shall:

9   (1) post each credit card transaction not later than

10 the 30th day after the first date the district pays any portion of

11 the balance due shown on the credit card statement that contains the

12 transaction; and

13   (2) maintain the listing of a credit card transaction

14 on the district's Internet website until the second anniversary of

15 the date of the transaction.

16   (e) A school district shall post on the district's Internet

17 website the first monthly listing of credit card transactions by

18 listing each transaction on the first monthly statement the

19 district receives that covers a billing period that ends after

20 August 1, 2007. This subsection expires December 1, 2007.

21   Sec. 44.0033. POSTING OF DISTRICT EMPLOYEE COMPENSATION

22 INFORMATION. (a) In this section, "compensation" means salaries,

23 wages, and employment stipends.

24   (b) Not later than the 30th day after the date the agency

25 posts the information submitted by the district under the Public

26 Education Information Management System (PEIMS), a school district

27 shall post on the district's Internet website a listing of the total

amounts budgeted for district employees' compensation for the
school year, grouped by the following categories of employees:

       (1) prekindergarten and kindergarten teachers;

       (2) elementary school teachers;

       (3) secondary school teachers;

       (4) special education teachers;

       (5) educational supervisors;

       (6) counselors;

       (7) educational diagnosticians;

       (8) librarians;

       (9) nurses and physicians;

       (10) therapists;

       (11) psychologists and associate psychologists;

       (12) educational support personnel other than those
listed in Subdivisions (5) through (11);

       (13) administrative or instructional officers;

       (14) principals;

       (15) assistant principals;

       (16) superintendents;

       (17) assistant superintendents;

       (18) educational aides; and

       (19) all other employees.

  (c) For each category of employees under Subsection (b), the
district shall post:

       (1) the number of full-time employees; and

       (2) the average compensation.

  (d) A school district shall maintain the employee

1   compensation information for a school year on the district's

2   Internet website until the district posts the information for the

3   following school year.

4   Sec. 44.0034. POSTING OF DISTRICT FUND BALANCES. (a) A

5   school district shall post on the district's Internet website a

6   statement of the district's obligated and unobligated fund

7   balances.

8   (b) A school district shall:

9   (1) update the statement of fund balances at least

10   once each month; and

11   (2) maintain each statement of fund balances on the

12   district's Internet website until the second anniversary of the

13   date of the statement.

14   (c) A school district should maintain minimum fund balances

15   equal to at least two months of the district's operating budget.

16   SECTION 2. Subchapter A, Chapter 44, Education Code, is

17   amended by adding Section 44.0035 to read as follows:

18   Sec. 44.0035. INDEMNIFICATION. The state shall indemnify

19   any school district that experiences a loss from fraud that:

20   (1) arises as a result of information posted in

21   accordance with Section 44.0031 or 44.0032, Education Code; and

22   (2) is committed by a person who is not an employee of

23   the school district.

24   SECTION 3. This Act takes effect immediately if it receives

25   a vote of two-thirds of all the members elected to each house, as

26   provided by Section 39, Article III, Texas Constitution. If this

27   Act does not receive the vote necessary for immediate effect, this

1   Act takes effect September 1, 2007.