

Suspending limitations on conference committee
jurisdiction, H.B. No. 828 (Hochberg/Shapiro)

By: Hochberg

H.R. No. 2909

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 80th Legislature, Regular Session, 2007, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill 828 (computation of certain
6 amounts under the Foundation School Program) to consider and take
7 action on the following matters:

8 (1) House Rule 13, Sections 9(a)(1) and (3), are suspended
9 to add text to Section 42.2516(b), Education Code, to read as
10 follows:

11 (b) Subject to Subsections (b-2), (f-1), (g), and (h), but
12 notwithstanding any other provision of this title, a school
13 district is entitled to state revenue necessary to provide the
14 district with the sum of:

15 Explanation: This change is necessary to permit the
16 adjustment of the additional state funding for property tax relief
17 to which a school district is entitled under the Foundation School
18 Program to reflect actions taken by the district regarding tax
19 abatements and tax increment reinvestment zones.

20 (2) House Rule 13, Section 9(a)(4), is suspended to add
21 Sections 42.2516(f-1), (f-2), and (f-3), Education Code, to read as
22 follows:

23 (f-1) The commissioner shall, in accordance with rules
24 adopted by the commissioner, adjust the amount of a school

1 district's local revenue derived from maintenance and operations
2 tax collections, as calculated for purposes of determining the
3 amount of state revenue to which the district is entitled under this
4 section, if the district, for the 2007 tax year or a subsequent tax
5 year:

6 (1) adopts an exemption under Section 11.13(n), Tax
7 Code, that was not in effect for the 2005 or 2006 tax year, or
8 eliminates an exemption under Section 11.13(n), Tax Code, that was
9 in effect for the 2005 or 2006 tax year;

10 (2) adopts an exemption under Section 11.13(n), Tax
11 Code, at a greater or lesser percentage than the percentage in
12 effect for the district for the 2005 or 2006 tax year;

13 (3) grants an exemption under an agreement authorized
14 by Chapter 312, Tax Code, that was not in effect for the 2005 or 2006
15 tax year, or ceases to grant an exemption authorized by that chapter
16 that was in effect for the 2005 or 2006 tax year; or

17 (4) agrees to deposit taxes into a tax increment fund
18 created under Chapter 311, Tax Code, under a reinvestment zone
19 financing plan that was not in effect for the 2005 or 2006 tax year,
20 or ceases depositing taxes into a tax increment fund created under
21 that chapter under a reinvestment zone financing plan that was in
22 effect for the 2005 or 2006 tax year.

23 (f-2) The rules adopted by the commissioner under
24 Subsection (f-1) must:

25 (1) require the commissioner to determine, as if this
26 section did not exist, the effect under Chapter 41 and this chapter
27 of a school district's action described by Subsection (f-1)(1),

1 (2), (3), or (4) on the total state revenue to which the district
2 would be entitled or the cost to the district of purchasing
3 sufficient attendance credits to reduce the district's wealth per
4 student to the equalized wealth level; and

5 (2) require an increase or reduction in the amount of
6 state revenue to which a school district is entitled under
7 Subsection (b) that is substantially equivalent to any change in
8 total state revenue or the cost of purchasing attendance credits
9 that would apply to the district if this section did not exist.

10 (f-3) An adjustment made by the commissioner under the rules
11 adopted under Subsection (f-1) is final and may not be appealed.

12 Explanation: This change is necessary to permit the
13 adjustment of the additional state funding for property tax relief
14 to which a school district is entitled under the Foundation School
15 Program to reflect actions taken by the district regarding tax
16 abatements and tax increment reinvestment zones.

17 (3) House Rule 13, Section 9(a)(1), is suspended to add text
18 to the introductory language in SECTION 2 of the conference
19 committee report, amending Section 42.302(a-1), Education Code, to
20 read as follows:

21 SECTION 2. Effective September 1, 2010, Section
22 42.302(a-1), Education Code, is amended to read as follows:

23 Explanation: This change is necessary to make the amendment
24 to Section 42.302(a-1), Education Code, take effect September 1,
25 2010.

26 (4) House Rule 13, Section 9(a)(1), is suspended to add text
27 to SECTION 3 of the conference committee report, containing the

1 effective date of the bill, to read as follows:

2 SECTION 3. Except as otherwise provided by this Act, this
3 Act takes effect September 1, 2007.

4 Explanation: This change is necessary to make the amendment
5 to Section 42.302(a-1), Education Code, take effect September 1,
6 2010.