

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

By: Shapiro

S.R. No. 1189

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 80th
2 Legislature, Regular Session, 2007, That Senate Rule 12.03 be
3 suspended in part as provided by Senate Rule 12.08 to enable the
4 conference committee appointed to resolve the differences on House
5 Bill 828 (computation of certain amounts under the Foundation
6 School Program) to consider and take action on the following
7 matters:

8 (1) Senate Rules 12.03(1) and (3) are suspended to add text
9 to Section 42.2516(b), Education Code, to read as follows:

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

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

19 (2) Senate Rule 12.03(4) is suspended to add Sections
20 42.2516(f-1), (f-2), and (f-3), Education Code, to read as follows:

21 (f-1) The commissioner shall, in accordance with rules
22 adopted by the commissioner, adjust the amount of a school
23 district's local revenue derived from maintenance and operations
24 tax collections, as calculated for purposes of determining the

1 amount of state revenue to which the district is entitled under this
2 section, if the district, for the 2007 tax year or a subsequent tax
3 year:

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

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

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

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

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

23 (1) require the commissioner to determine, as if this
24 section did not exist, the effect under Chapter 41 and this chapter
25 of a school district's action described by Subsection (f-1)(1),
26 (2), (3), or (4) on the total state revenue to which the district
27 would be entitled or the cost to the district of purchasing

1 sufficient attendance credits to reduce the district's wealth per
2 student to the equalized wealth level; and

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

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

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

15 (3) Senate Rule 12.03(1) is suspended to add text to the
16 introductory language in SECTION 2 of the conference committee
17 report, amending Section 42.302(a-1), Education Code, to read as
18 follows:

19 SECTION 2. Effective September 1, 2010, Section
20 42.302(a-1), Education Code, is amended to read as follows:

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

24 (4) Senate Rule 12.03(1) is suspended to add text to SECTION
25 3 of the conference committee report, containing the effective date
26 of the bill, to read as follows:

27 SECTION 3. Except as otherwise provided by this Act, this

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1 Act takes effect September 1, 2007.

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