

Amend CSHB 130 (Senate committee report) as follows. Insert new SECTION 5 and renumber subsequent sections accordingly:

SECTION 5. FUNDING FOR GRANTS UNDER 29.155. Funds appropriated to fund eligible prekindergarten programs under Section 29.155, Education Code, may be used in the 2009-2010 school year, with prior written approval from the Governor and the Legislative Budget Board, to support at the same level of funding as the 2008-2009 school year districts that received grant funds for such programs under Section 29.155 in the 2008-2009 school year, and to fund additional districts that have received notice of grant awards for such programs for the 2009-2010 school year. If additional state or federal funds become available to support such programs for the 2010-2011 school year, the commissioner of education shall have authority and flexibility to provide funds for all such programs. If additional funds are not sufficient to fund all such programs in the 2010-2011 school year at the amount per student provided in the 2009-2010 school year, funding for all participating districts shall be reduced proportionally. All funds appropriated that are not expended in the 2009-2010 school year are transferred to the 2010-2011 school year, and the commissioner may use such funds to support additional programs and services for eligible prekindergarten students.