

Amend CSHB 3646 (Senate committee printing) as follows:

(1) In SECTION 1.10 of the bill, strike amended Section 41.002(a), Education Code (page 4, lines 18-43), and substitute the following:

(a) A school district may not have a wealth per student that exceeds:

(1) the wealth per student that generates the amount of maintenance and operations tax revenue per weighted student per cent of tax effort available to a district as a result of the guaranteed level provided by Section 42.302(a-1)(1) ~~[at the 88th percentile in wealth per student]~~, for the district's maintenance and operations tax effort equal to or less than the rate equal to the product of the state compression percentage, as determined under Section 42.2516, multiplied by the maintenance and operations tax rate adopted by the district for the 2005 tax year;

(2) the wealth per student that generates the amount of maintenance and operations tax revenue per weighted student per cent of tax effort available to a district as a result of the guaranteed level provided by Section 42.302(a-1)(2) ~~[the Austin Independent School District, as determined by the commissioner in cooperation with the Legislative Budget Board]~~, for the first six cents by which the district's maintenance and operations tax rate exceeds the rate equal to the product of the state compression percentage, as determined under Section 42.2516, multiplied by the maintenance and operations tax rate adopted by the district for the 2005 tax year, subject to Section 41.093(b-1); or

(3) the wealth per student that generates the amount of maintenance and operations tax revenue per weighted student per cent of tax effort available to a district as a result of the guaranteed level provided by Section 42.302(a-1)(3) ~~[\$319,500]~~, for the district's maintenance and operations tax effort that exceeds the first six cents by which the district's maintenance and operations tax effort exceeds the rate equal to the product of the state compression percentage, as determined under Section 42.2516, multiplied by the maintenance and operations tax rate adopted by the district for the 2005 tax year.

(2) Strike SECTION 1.11 of the bill, amending Section

41.093(b-1), Education Code (page 4, lines 44-60).

(3) Strike SECTION 1.13 of the bill, amending Section 42.101, Education Code (page 5, lines 24-48).

(4) In SECTION 1.19 of the bill, in amended Section 42.2516, Education Code (page 7, line 47, through page 8, line 26), strike added Subsections (b) through (e) and substitute the following:

(b) Notwithstanding any other provision of this title, a school district that imposes a maintenance and operations tax at a rate at least equal to the maintenance and operations tax rate adopted by the district for the 2008-2009 tax year is entitled to at least the amount of state revenue necessary to provide the district with the sum of:

(1) except as provided by Subsection (e), the amount of state and local revenue per student in weighted average daily attendance for maintenance and operations to which the district was entitled during the 2008-2009 school year under Chapter 41 and this chapter, as those chapters existed on January 1, 2009;

(2) an amount equal to the product of \$135 multiplied by the number of students in weighted average daily attendance in the district;

(3) an amount equal to the amount the district is required to pay into the tax increment fund for a reinvestment zone under Section 311.013(n), Tax Code, in the current tax year; and

(4) any amount to which the district is entitled under Section 42.106.

(c) For purposes of Subsection (b)(1), the amount of revenue to which a school district was entitled during the 2008-2009 school year as a result of the technology allotment under Section 32.005, the transportation allotment under Section 42.155, and the new instructional facility allotment under Section 42.158 and the amount of state and local revenue resulting from a tax rate described by Section 42.302(a-1)(2) or (3) is not included. In addition to the amount to which a district is entitled under Subsection (b), the district is entitled to receive for the current year each of the allotments specified in this subsection.

(d) In determining the amount to which a district is entitled under Subsection (b)(1), the commissioner shall:

(1) include any amounts received by the district during the 2008-2009 school year under Rider 86, page III-23, Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the General Appropriations Act); and

(2) for a school district that paid tuition under Section 25.039 during the 2008-2009 school year, reduce the amount to which the district is entitled by the amount of tuition paid during that school year.

(e) If a school district adopts a maintenance and operations tax rate that is below the tax rate for maintenance and operations adopted by the district for the 2008-2009 school year, the commissioner shall reduce the district's entitlement under this section in proportion to the amount by which the district's adopted rate is less than the rate adopted by the district for the 2008-2009 school year.

(5) Strike SECTION 1.20 of the bill, amending Section 42.252(a), Education Code (page 12, lines 20-36).

(6) In SECTION 1.23 of the bill, in the introductory language (page 12, line 53), strike "42.302(a), (a-1), and (a-2)" and substitute "42.302(a) and (a-1)".

(7) In SECTION 1.23 of the bill, strike amended Sections 42.302(a-1) and (a-2), Education Code (page 13, lines 18-53), and substitute the following:

(a-1) In this section, "wealth per student" has the meaning assigned by Section 41.001. For purposes of Subsection (a), the dollar amount guaranteed level of state and local funds per weighted student per cent of tax effort ("GL") for a school district is:

(1) the greater of 85 percent of the amount of district tax revenue per weighted student per cent of tax effort that would be available to the Austin Independent School District ~~[a district at the 88th percentile in wealth per student]~~, as determined by the commissioner in cooperation with the Legislative Budget Board, or the amount of district tax revenue per weighted student per cent of tax effort used for purposes of this subdivision in the preceding school year, for the district's maintenance and operations tax effort equal to or less than the rate equal to the product of the

state compression percentage, as determined under Section 42.2516, multiplied by the maintenance and operations tax rate adopted by the district for the 2005 tax year;

(2) the greater of the amount of district tax revenue per weighted student per cent of tax effort that would be available to the Austin Independent School District, as determined by the commissioner in cooperation with the Legislative Budget Board, if the reduction of the limitation on tax increases as provided by Section 11.26(a-1), (a-2), or (a-3), Tax Code, did not apply, or the amount of district tax revenue per weighted student per cent of tax effort used for purposes of this subdivision in the preceding school year, for the first six cents by which the district's maintenance and operations tax rate exceeds the rate equal to the product of the state compression percentage, as determined under Section 42.2516 [~~and notwithstanding the limitation on district enrichment tax rate ("DTR") under Section 42.303~~], multiplied by the maintenance and operations tax rate adopted by the district for the 2005 tax year; and

(3) \$31.95, for the district's maintenance and operations tax effort that exceeds the amount of tax effort described by Subdivision (2).

(8) Immediately following SECTION 1.23 of the bill, amending Sections 42.302(a), (a-1), and (a-2), Education Code (page 13, between lines 53 and 54), add the following appropriately numbered SECTION:

SECTION 1.____. Effective September 1, 2010, Section 42.302(a-1), Education Code, as amended by Chapters 19 (H.B. 5) and 1191 (H.B. 828), Acts of the 80th Legislature, Regular Session, 2007, is reenacted and amended to read as follows:

(a-1) In this section, "wealth per student" has the meaning assigned by Section 41.001. For purposes of Subsection (a), the dollar amount guaranteed level of state and local funds per weighted student per cent of tax effort ("GL") for a school district is:

(1) the greater of 90 percent of the amount of district tax revenue per weighted student per cent of tax effort that would be available to the Austin Independent School District [~~a district~~

~~at the 88th percentile in wealth per student]~~, as determined by the commissioner in cooperation with the Legislative Budget Board, or the amount of district tax revenue per weighted student per cent of tax effort used for purposes of this subdivision in the preceding school year, for the district's maintenance and operations tax effort equal to or less than the rate equal to the product of the state compression percentage, as determined under Section 42.2516, multiplied by the maintenance and operations tax rate adopted by the district for the 2005 tax year;

(2) the greater of the amount of district tax revenue per weighted student per cent of tax effort that would be available to the Austin Independent School District, as determined by the commissioner in cooperation with the Legislative Budget Board, if the reduction of the limitation on tax increases as provided by Section 11.26(a-1), (a-2), or (a-3), Tax Code, did not apply, or the amount of district tax revenue per weighted student per cent of tax effort used for purposes of this subdivision in the preceding school year, for the first six cents by which the district's maintenance and operations tax rate exceeds the rate equal to the product of the state compression percentage, as determined under Section 42.2516, multiplied by the maintenance and operations tax rate adopted by the district for the 2005 tax year; and

(3) \$31.95, for the district's maintenance and operations tax effort that exceeds the amount of tax effort described by Subdivision (2).

(9) Strike SECTION 1.24 of the bill, amending Section 42.303, Education Code (page 13, lines 54-61).

(10) In SECTION 3.01(a) of the bill (page 19, lines 14-20), add the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

() Section 41.002(g);

(11) Add the following appropriately numbered SECTION to ARTICLE 3 of the bill:

SECTION 3.____. Notwithstanding any other provision of this Act:

(1) if, as a result of the changes in law made by this Act, the total cost to the state under Chapters 41 and 42, Education Code, exceeds the amount provided for that purpose by S.B. No. 1, Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), for the 2010-2011 state fiscal biennium, the commissioner of education shall reduce the percentage of the amount of district tax revenue per weighted student per cent of tax effort available to the Austin Independent School District used in determining the equalized wealth level under Section 41.002(a)(1), Education Code, the basic allotment under Section 42.101, Education Code, and the guaranteed yield under Section 42.302(a-1)(1), Education Code, for the 2010-2011 school year to a percentage that will produce a total cost for the biennium equal to the amount appropriated; and

(2) if, as a result of the changes in law made by this Act, the total cost to the state under Chapters 41 and 42, Education Code, is less than the amount provided for that purpose by S.B. No. 1, Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), for the 2010-2011 state fiscal biennium, the commissioner of education shall increase the percentage of the amount of district tax revenue per weighted student per cent of tax effort available to the Austin Independent School District used in determining the equalized wealth level under Section 41.002(a)(1), Education Code, the basic allotment under Section 42.101, Education Code, and the guaranteed yield under Section 42.302(a-1)(1), Education Code, for the 2010-2011 school year to a percentage that will produce a total cost for the biennium equal to the amount appropriated.

(12) Renumber existing SECTIONS of the bill accordingly.