

By: Branch

H.B. No. 53

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the equalized wealth level and the guaranteed yield  
3 under the school finance system.

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

5 SECTION 1. Section 41.002(a), Education Code, is amended to  
6 read as follows:

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

9 (1) the wealth per student that generates the amount  
10 of maintenance and operations tax revenue per weighted student  
11 available to a district at the 88th percentile in wealth per  
12 student, for the district's maintenance and operations tax effort  
13 equal to or less than the rate equal to the product of the state  
14 compression percentage, as determined under Section 42.2516,  
15 multiplied by the maintenance and operations tax rate adopted by  
16 the district for the 2005 tax year;

17 (2) the wealth per student that generates the amount  
18 of maintenance and operations tax revenue per weighted student  
19 available to the Austin Independent School District, as determined  
20 by the commissioner in cooperation with the Legislative Budget  
21 Board, for the first six cents by which the district's maintenance  
22 and operations tax rate exceeds the rate equal to the product of the  
23 state compression percentage, as determined under Section 42.2516,  
24 multiplied by the maintenance and operations tax rate adopted by

1 the district for the 2005 tax year, subject to Section 41.093(b-1);  
2 or

3 (3) the wealth per student specified by Subdivision  
4 (1) [\$319,500], for the district's maintenance and operations tax  
5 effort that exceeds the first six cents by which the district's  
6 maintenance and operations tax effort exceeds the rate equal to the  
7 product of the state compression percentage, as determined under  
8 Section 42.2516, multiplied by the maintenance and operations tax  
9 rate adopted by the district for the 2005 tax year.

10 SECTION 2. Effective September 1, 2009, Section  
11 42.302(a-1), Education Code, is amended to read as follows:

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

17 (1) the amount of district tax revenue per weighted  
18 student per cent of tax effort available to a district at the 88th  
19 percentile in wealth per student, as determined by the commissioner  
20 in cooperation with the Legislative Budget Board, for the  
21 district's maintenance and operations tax effort equal to or less  
22 than the rate equal to the product of the state compression  
23 percentage, as determined under Section 42.2516, multiplied by the  
24 maintenance and operations tax rate adopted by the district for the  
25 2005 tax year;

26 (2) the amount of district tax revenue per weighted  
27 student per cent of tax effort that would be available to the Austin

1 Independent School District, as determined by the commissioner in  
2 cooperation with the Legislative Budget Board, if the reduction of  
3 the limitation on tax increases as provided by Section 11.26(a-1),  
4 (a-2), or (a-3), Tax Code, did not apply, for the first six cents by  
5 which the district's maintenance and operations tax rate exceeds  
6 the rate equal to the product of the state compression percentage,  
7 as determined under Section 42.2516 [~~and notwithstanding the~~  
8 ~~limitation on district enrichment tax rate ("DTR") under Section~~  
9 ~~42.303~~], multiplied by the maintenance and operations tax rate  
10 adopted by the district for the 2005 tax year; and

11 (3) the amount of district tax revenue per weighted  
12 student per cent of tax effort specified by Subdivision (1)  
13 [~~\$31.95~~], for the district's maintenance and operations tax effort  
14 that exceeds the amount of tax effort described by Subdivision (2).

15 SECTION 3. Effective September 1, 2010, Section  
16 42.302(a-1), Education Code, as amended by Chapters 19 (H.B. 5) and  
17 1191 (H.B. 828), Acts of the 80th Legislature, Regular Session,  
18 2007, is reenacted and amended to read as follows:

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

24 (1) the amount of district tax revenue per weighted  
25 student per cent of tax effort available to a district at the 88th  
26 percentile in wealth per student, as determined by the commissioner  
27 in cooperation with the Legislative Budget Board, for the

1 district's maintenance and operations tax effort equal to or less  
2 than the rate equal to the product of the state compression  
3 percentage, as determined under Section 42.2516, multiplied by the  
4 maintenance and operations tax rate adopted by the district for the  
5 2005 tax year;

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

19 (3) the amount of district tax revenue per weighted  
20 student per cent of tax effort specified by Subdivision (1)  
21 [~~\$31.95~~], for the district's maintenance and operations tax effort  
22 that exceeds the amount of tax effort described by Subdivision (2).

23 SECTION 4. Except as otherwise provided by this Act, this  
24 Act takes effect September 1, 2009.