

1-1 By: Guillen, et al. (Senate Sponsor - Zaffirini) H.B. No. 635
1-2 (In the Senate - Received from the House April 29, 2009;
1-3 May 4, 2009, read first time and referred to Committee on
1-4 Education; May 15, 2009, reported favorably by the following vote:
1-5 Yeas 5, Nays 0; May 15, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the authority of the Texas Education Agency to seek,
1-9 accept, determine eligibility for, and distribute grants available
1-10 for the benefit of public education.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter B, Chapter 7, Education Code, is
1-13 amended by adding Section 7.031 to read as follows:

1-14 Sec. 7.031. GRANTS. (a) The agency may seek, accept, and
1-15 distribute grants awarded by the federal government or any other
1-16 public or private entity for the benefit of public education,
1-17 subject to the limitations or conditions imposed by the terms of the
1-18 grants or by other law.

1-19 (b) Unless otherwise prohibited by federal law, the
1-20 commissioner may determine, solely for purposes of the program's
1-21 eligibility to receive federal grant funds, for the purpose of
1-22 technology services and support, that a Head Start program operated
1-23 in this state by a school district or a community-based
1-24 organization serves the function of an elementary school by
1-25 providing elementary education at one or more program facilities.

1-26 (c) A determination by the commissioner under Subsection

1-27 (b):

1-28 (1) does not entitle a Head Start program to receive
1-29 state funds for which the program would not otherwise be eligible;

1-30 (2) may not reduce the amount of federal grant funds
1-31 available for school districts and open-enrollment charter
1-32 schools; and

1-33 (3) may not be appealed.

1-34 SECTION 2. This Act takes effect immediately if it receives
1-35 a vote of two-thirds of all the members elected to each house, as
1-36 provided by Section 39, Article III, Texas Constitution. If this
1-37 Act does not receive the vote necessary for immediate effect, this
1-38 Act takes effect September 1, 2009.

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