

By: Zerwas

H.B. No. 642

A BILL TO BE ENTITLED

AN ACT

relating to requiring the Texas Education Agency to prepare a report regarding public education mandates.

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

SECTION 1. Subchapter B, Chapter 7, Education Code, is amended by adding Section 7.033 to read as follows:

Sec. 7.033. REPORT ON PUBLIC EDUCATION MANDATES. (a) In this section, "public education mandate" means a requirement made by federal or state law, including a statute, rule, order, or ordinance, that requires a school district to establish, expand, or modify an activity in a way that requires the expenditure of revenue by the school district that would not have been required in the absence of the federal or state law.

(b) The agency shall prepare a report that identifies each public education mandate that applies in this state. The report shall identify each public education mandate individually and provide the following information relating to the mandate:

(1) the law authorizing the mandate;

(2) whether the mandate is fully funded, partially funded, or unfunded;

(3) whether the funding for the mandate, if any, is provided by state funds, federal funds, or a combination of state and federal funds;

(4) an estimate of any cost required to be paid by the

1 state or the school districts, if applicable;

2 (5) whether the mandate duplicates all or part of
3 another public education mandate;

4 (6) any conflict between the mandate and any other
5 public education mandate; and

6 (7) any recommendation relating to revising or
7 eliminating a mandate.

8 (c) The agency shall solicit information relating to public
9 education mandates from school districts, school district
10 employees, and any other interested person.

11 (c-1) Not later than December 1, 2010, the agency shall
12 deliver a copy of the report produced under this section to the
13 governor, lieutenant governor, speaker of the house, and presiding
14 officers of the standing committees of each house of the
15 legislature with primary jurisdiction over public education. This
16 subsection expires January 15, 2011.

17 (d) The agency shall:

18 (1) make the report produced under this section
19 available as an electronic document on the agency's Internet
20 website; and

21 (2) update the electronic document periodically to
22 include any additions or changes to the report.

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