

1-1 By: Seliger S.B. No. 401
1-2 (In the Senate - Filed January 5, 2009; February 17, 2009,
1-3 read first time and referred to Committee on Education;
1-4 March 9, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; March 9, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 401 By: Averitt

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to eligibility for the small and mid-sized district
1-11 adjustment under the public school finance system.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 42.2516, Education Code, is amended by
1-14 amending Subsection (b) and adding Subsection (h-2) to read as
1-15 follows:

1-16 (b) Subject to Subsections (b-1), (b-2), (f-1), (g), [~~and~~
1-17 (h), and (h-2)], but notwithstanding any other provision of this
1-18 title, a school district is entitled to state revenue necessary to
1-19 provide the district with the sum of:

1-20 (1) the amount of state revenue necessary to maintain
1-21 state and local revenue per student in weighted average daily
1-22 attendance in the amount equal to the greater of:

1-23 (A) the amount of state and local revenue per
1-24 student in weighted average daily attendance for the maintenance
1-25 and operations of the district available to the district for the
1-26 2005-2006 school year;

1-27 (B) the amount of state and local revenue per
1-28 student in weighted average daily attendance for the maintenance
1-29 and operations of the district to which the district would have been
1-30 entitled for the 2006-2007 school year under this chapter, as it
1-31 existed on January 1, 2006, or, if the district would have been
1-32 subject to Chapter 41, as that chapter existed on January 1, 2006,
1-33 the amount to which the district would have been entitled under that
1-34 chapter, based on the funding elements in effect for the 2005-2006
1-35 school year, if the district imposed a maintenance and operations
1-36 tax at the rate adopted by the district for the 2005 tax year; or

1-37 (C) the amount of state and local revenue per
1-38 student in weighted average daily attendance for the maintenance
1-39 and operations of the district to which the district would have been
1-40 entitled for the 2006-2007 school year under this chapter, as it
1-41 existed on January 1, 2006, or, if the district would have been
1-42 subject to Chapter 41, as that chapter existed on January 1, 2006,
1-43 the amount to which the district would have been entitled under that
1-44 chapter, based on the funding elements in effect for the 2005-2006
1-45 school year, if the district imposed a maintenance and operations
1-46 tax at the rate equal to the rate described by Section 26.08(i) or
1-47 (k)(1), Tax Code, as applicable, for the 2006 tax year;

1-48 (2) an amount equal to the product of \$2,500
1-49 multiplied by the number of classroom teachers, full-time
1-50 librarians, full-time counselors certified under Subchapter B,
1-51 Chapter 21, and full-time school nurses employed by the district
1-52 and entitled to a minimum salary under Section 21.402; and

1-53 (3) an amount equal to the product of \$275 multiplied
1-54 by the number of students in average daily attendance in grades nine
1-55 through 12 in the district.

1-56 (h-2) Notwithstanding any other provision of this code, the
1-57 repeal of Section 42.103(e) by S.B. No. 401, Acts of the 81st
1-58 Legislature, Regular Session, 2009, may not increase the amount of
1-59 state and local funds to which a school district is entitled under
1-60 Subsection (b).

1-61 SECTION 2. Subsection (e), Section 42.103, Education Code,
1-62 is repealed.

1-63 SECTION 3. This Act takes effect September 1, 2009.

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