

By: Bonnen

H.B. No. 3008

A BILL TO BE ENTITLED

AN ACT

relating to the salary paid to certain professional employees of public schools.

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

SECTION 1. Section 12.1331, Education Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding any other provision of this section, a charter holder may reduce the salary of a classroom teacher, full-time speech-language pathologist, full-time librarian, full-time counselor, or full-time school nurse by an amount not to exceed 10 percent of the sum paid to the teacher, speech-language pathologist, librarian, counselor, or school nurse in the 2011-2012 school year.

SECTION 2. Section 19.009, Education Code, is amended by adding Subsection (d-4) to read as follows:

(d-4) Notwithstanding any other provision of this section, the district may reduce the salary of a classroom teacher, full-time speech-language pathologist, full-time librarian, full-time counselor, or full-time school nurse by an amount not to exceed 10 percent of the sum paid to the teacher, speech-language pathologist, librarian, counselor, or school nurse in the 2011-2012 school year. The commissioner may reduce the amount of state aid provided to the district under Section 19.007(g), as appropriate.

SECTION 3. Subchapter A, Chapter 21, Education Code, is

1 amended by adding Section 21.008 to read as follows:

2 Sec. 21.008. LIMITATION ON AUTHORITY TO DISCHARGE TEACHERS.
3 Notwithstanding Section 21.157 or 21.211(a)(2), a school district
4 may not discharge a teacher for a reason other than good cause if
5 the school district has reduced teacher salaries as authorized by
6 Section 21.402(c-4).

7 SECTION 4. Section 21.402, Education Code, is amended by
8 adding Subsection (c-4) to read as follows:

9 (c-4) Notwithstanding any other provision of this section
10 or Section 21.403, a school district may reduce the salary of a
11 classroom teacher, full-time speech-language pathologist,
12 full-time librarian, full-time counselor certified under
13 Subchapter B, or full-time school nurse by an amount not to exceed
14 10 percent of the sum paid to the teacher, speech-language
15 pathologist, librarian, counselor, or school nurse in the 2011-2012
16 school year.

17 SECTION 5. Section 21.403, Education Code, is amended by
18 adding Subsection (e) to read as follows:

19 (e) This section does not prohibit a school district from
20 reducing the salary of a teacher, speech-language pathologist,
21 librarian, counselor, or school nurse as provided by Section
22 21.402(c-4).

23 SECTION 6. Section 30.024, Education Code, is amended by
24 adding Subsection (b-1) to read as follows:

25 (b-1) Notwithstanding any other provision of this section,
26 the governing board of the school may reduce the salary of a teacher
27 by an amount not to exceed 10 percent of the sum paid to the teacher

1 in the 2011-2012 school year.

2 SECTION 7. Section 30.055, Education Code, is amended by
3 adding Subsection (b-1) to read as follows:

4 (b-1) Notwithstanding any other provision of this section,
5 the governing board of the school may reduce the salary of a teacher
6 by an amount not to exceed 10 percent of the sum paid to the teacher
7 in the 2011-2012 school year.

8 SECTION 8. Section 30.102, Education Code, is amended by
9 adding Subsection (b-1) to read as follows:

10 (b-1) Section 21.402(c-4) applies to the commission as if
11 the commission were a school district. Notwithstanding any other
12 provision of this section, the commission may reduce salaries as
13 provided by Section 21.402(c-4).

14 SECTION 9. Section 824.203, Government Code, is amended by
15 amending Subsection (a) and adding Subsection (a-1) to read as
16 follows:

17 (a) Except as provided by Subsections (c) and (d), and
18 subject to Subsection (a-1), the standard service retirement
19 annuity is an amount computed on the basis of the member's average
20 annual compensation for the five years of service, whether or not
21 consecutive, in which the member received the highest annual
22 compensation, times 2.3 percent for each year of service credit in
23 the retirement system.

24 (a-1) If a member's annual compensation is reduced by a
25 school district in accordance with Section 21.402(c-4), Education
26 Code, the reduction is disregarded for purposes of Subsection (a)
27 and the teacher is considered to have received the annual

1 compensation that the teacher would have received if not for the
2 reduction.

3 SECTION 10. Section 21.402(d), Education Code, is repealed.

4 SECTION 11. This Act applies beginning with the 2012-2013
5 school year.

6 SECTION 12. This Act takes effect immediately if it
7 receives a vote of two-thirds of all the members elected to each
8 house, as provided by Section 39, Article III, Texas Constitution.
9 If this Act does not receive the vote necessary for immediate
10 effect, this Act takes effect September 1, 2011.