

SENATE AMENDMENTS

2nd Printing

By: Pitts

H.B. No. 592

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain counties that are not required to operate a
3 juvenile justice alternative education program.

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

5 SECTION 1. Section 37.011, Education Code, is amended by
6 adding Subsection (a-2) to read as follows:

7 (a-2) For purposes of this section and Section 37.010(a), a
8 county with a population greater than 125,000 is considered to be a
9 county with a population of 125,000 or less if the county:

10 (1) has a population of 180,000 or less;

11 (2) is adjacent to two counties, each of which has a
12 population of more than 1.7 million; and

13 (3) has seven or more school districts located wholly
14 within the county's boundaries.

15 SECTION 2. This Act applies beginning with the 2011-2012
16 school year.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2011.

ADOPTED

MAY 21 2011

Atty. Gen. Paul
Secretary of the Senate

By: Brian Sindwell

H.B. No. 592

Substitute the following for ___B. No. _____:

By: Carmon

C.S.S.B. No. 592

A BILL TO BE ENTITLED

AN ACT

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3 juvenile justice alternative education program.

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

5 SECTION 1. Section 37.011, Education Code, is amended by
6 adding Subsection (a-2) to read as follows:

7 (a-2) For purposes of this section and Section 37.010(a), a
8 county with a population greater than 125,000 is considered to be a
9 county with a population of 125,000 or less if the county:

10 (1) has a population of 250,000 or less;

11 (2) is adjacent to two counties, each of which has a
12 population of more than 1.7 million, or is adjacent to two counties,
13 each of which has a population of less than 150,000; and

14 (3) has seven or more school districts located wholly
15 within the county's boundaries.

16 SECTION 2. This Act applies beginning with the 2011-2012
17 school year.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2011.

FLOOR AMENDMENT NO. 1

BY: Ben Birkell

1 Amend C.S.H.B. No. 592 (senate committee report) as
2 follows:

3 (1) In SECTION 1 of the bill, in added Section 37.011(a-
4 2)(1), Education Code (page 1, line 18), strike "250,000" and
5 substitute "180,000".

6 (2) In SECTION 1 of the bill, in added Section 37.011(a-
7 2)(2), Education Code (page 1, lines 20 and 21), strike ", or is
8 adjacent to two counties, each of which has a population of less
9 than 150,000".

ADOPTED

MAY 21 2011

Atty. Gen.
Secretary of the Senate

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION
Revision 1

May 22, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB592 by Pitts (Relating to certain counties that are not required to operate a juvenile justice alternative education program.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would exempt certain counties with populations of 125,000 or greater from the requirement that expelled students and students meeting other mandatory placement requirements must be placed in a Juvenile Justice Alternative Education Program (JJAEP). The parameters stipulated in the bill appear to identify Ellis County.

Currently, statute requires counties with populations of 125,000 or greater to operate a JJAEP, and the Texas Juvenile Probation Commission allows counties with populations of 72,000 or greater to elect to operate a JJAEP and to receive state funding for mandatory placements. In the 2010-11 biennium, JJAEPs earn state funding of \$79 per student per day for mandatory placements. These funds are transferred from Foundation School Program funds appropriated to the Texas Education Agency.

Ellis County currently does not operate a JJAEP. As such, no fiscal impact is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 665 Juvenile Probation Commission, 701 Central Education Agency

LBB Staff: JOB, JT, JGM, JSc, MWU, ESi

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 22, 2011

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB592 by Pitts (Relating to certain counties that are not required to operate a juvenile justice alternative education program.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would exempt certain counties with populations of 125,000 or greater from the requirement that expelled students and students meeting other mandatory placement requirements must be placed in a Juvenile Justice Alternative Education Program (JJAEP). The parameters stipulated in the bill appear to identify Ellis County.

Currently, statute requires counties with populations of 125,000 or greater to operate a JJAEP, and the Texas Juvenile Probation Commission allows counties with populations of 72,000 or greater to elect to operate a JJAEP and to receive state funding for mandatory placements. In the 2010-11 biennium, JJAEPs earn state funding of \$79 per student per day for mandatory placements. These funds are transferred from Foundation School Program funds appropriated to the Texas Education Agency.

Ellis County currently does not operate a JJAEP. As such, no fiscal impact is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 665 Juvenile Probation Commission, 701 Central Education Agency

LBB Staff: JOB, JT, JGM, JSc, MWU, ESi

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 19, 2011

TO: Honorable Chris Harris, Chair, Senate Committee on Jurisprudence

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB592 by Pitts (relating to certain counties that are not required to operate a juvenile justice alternative education program.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would exempt certain counties with populations of 125,000 or greater from the requirement that expelled students and students meeting other mandatory placement requirements must be placed in a Juvenile Justice Alternative Education Program (JJAEP). The parameters stipulated in the bill appear to identify Johnson, Ellis, Smith, and McClennan counties.

Currently, statute requires counties with populations of 125,000 or greater to operate a JJAEP, and the Texas Juvenile Probation Commission allows counties with populations of 72,000 or greater to elect to operate a JJAEP and to receive state funding for mandatory placements. In the 2010-11 biennium, JJAEPs earn state funding of \$79 per student per day for mandatory placements. These funds are transferred from Foundation School Program funds appropriated to the Texas Education Agency.

To the extent that counties with populations between 125,000 and 250,000 meeting the parameters of the bill elect to discontinue operations, savings to the state could accrue. Savings are not estimated to be significant.

Local Government Impact

Certain counties with populations between 125,000 and 250,000 would no longer be required to operate JJAEPs. If the affected counties opt not to continue operating JJAEPs, school districts in those counties may be required to serve students who would have otherwise been expelled to a JJAEP.

Source Agencies: 665 Juvenile Probation Commission, 701 Central Education Agency

LBB Staff: JOB, JT, JGM, JSc, MWU, ESi

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 10, 2011

TO: Honorable Chris Harris, Chair, Senate Committee on Jurisprudence

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB592 by Pitts (Relating to certain counties that are not required to operate a juvenile justice alternative education program.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would exempt certain counties with populations of 125,000 or greater from the requirement that expelled students and students meeting other mandatory placement requirements must be placed in a Juvenile Justice Alternative Education Program (JJAEP). The parameters stipulated in the bill appear to identify Johnson and Ellis counties.

Currently, statute requires counties with populations of 125,000 or greater to operate a JJAEP, and the Texas Juvenile Probation Commission allows counties with populations of 72,000 or greater to elect to operate a JJAEP and to receive state funding for mandatory placements. In the 2010-11 biennium, JJAEPs earn state funding of \$79 per student per day for mandatory placements. These funds are transferred from Foundation School Program funds appropriated to the Texas Education Agency.

To the extent that counties with populations between 125,000 and 180,000 meeting the parameters of the bill elect to discontinue operations, savings to the state could accrue. Savings are not estimated to be significant.

Local Government Impact

Certain counties with populations between 125,000 and 180,000 would no longer be required to operate JJAEPs. If the affected counties opt not to continue operating JJAEPs, school districts in those counties may be required to serve students who would have otherwise been expelled to a JJAEP.

Source Agencies: 665 Juvenile Probation Commission, 701 Central Education Agency

LBB Staff: JOB, JT, ESi, JGM, JSc

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 20, 2011

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB592 by Pitts (Relating to certain counties that are not required to operate a juvenile justice alternative education program.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would exempt certain counties with populations of 125,000 or greater from the requirement that expelled students and students meeting other mandatory placement requirements must be placed in a Juvenile Justice Alternative Education Program (JJAEP). The parameters stipulated in the bill appear to identify Johnson and Ellis counties.

Currently, statute requires counties with populations of 125,000 or greater to operate a JJAEP, and the Texas Juvenile Probation Commission allows counties with populations of 72,000 or greater to elect to operate a JJAEP and to receive state funding for mandatory placements. In the 2010-11 biennium, JJAEPs earn state funding of \$79 per student per day for mandatory placements. These funds are transferred from Foundation School Program funds appropriated to the Texas Education Agency.

To the extent that counties with populations between 125,000 and 180,000 meeting the parameters of the bill elect to discontinue operations, savings to the state could accrue. Savings are not estimated to be significant.

Local Government Impact

Certain counties with populations between 125,000 and 180,000 would no longer be required to operate JJAEPs. If the affected counties opt not to continue operating JJAEPs, school districts in those counties may be required to serve students who would have otherwise been expelled to a JJAEP.

Source Agencies: 665 Juvenile Probation Commission, 701 Central Education Agency

LBB Staff: JOB, ESi, JGM, JSc

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 14, 2011

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB592 by Pitts (Relating to the population of a county required to operate a juvenile justice alternative education program.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would increase the county population threshold at which expelled students and students meeting other mandatory placement requirements must be placed in a Juvenile Justice Alternative Education Program (JJAEP) and the population threshold at which counties are required to operate a JJAEP from 125,000 to 180,000.

Currently, the Texas Juvenile Probation Commission allows counties with populations of 72,000 or greater to elect to operate a JJAEP and to receive state funding for mandatory placements. In the 2010-11 biennium, JJAEPs earn state funding of \$79 per student per day for mandatory placements. These funds are transferred from Foundation School Program funds appropriated to the Texas Education Agency.

If the six counties currently operating JJAEPs with populations between 125,000 and 180,000 elect to discontinue operations, savings to the state could accrue. Savings are not estimated to be significant.

Local Government Impact

Counties with populations between 125,000 and 180,000 would no longer be required to operate JJAEPs. If the affected counties opt not to continue operating JJAEPs, school districts in those counties may be required to serve students who would have otherwise been expelled to a JJAEP.

Source Agencies: 665 Juvenile Probation Commission, 701 Central Education Agency

LBB Staff: JOB, ESi, JGM, JSc