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HOUSE OF REPRESENTATIVES



Ruth McClendon
BY: _____

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter Z, Chapter 33, Education
5 Code, is amended by adding Section 33.907 to read as follows:

6 Sec. 33.907. LICENSED PSYCHOLOGIST OR PROFESSIONAL
7 COUNSELOR. (a) A school district shall assign a full-time
8 psychologist licensed under Chapter 501, Occupations Code, or
9 full-time professional counselor licensed under Chapter 503,
10 Occupations Code, at each campus in the district.

11 (b) The primary responsibility of a psychologist or
12 professional counselor assigned under this section is to assist
13 students in confidential counseling matters.

14 (c) A psychologist or professional counselor assigned under
15 this section may not consult with a student without the permission
16 of the student's parent or guardian unless:

17 (1) the safety of the student is at issue;

18 (2) the student is at risk of being involved in
19 domestic violence; or

20 (3) a court order allows or requires the consultation
21 without the permission.

22 (b) This section applies beginning with the 2013-2014
23 school year.

24 SECTION _____. (a) Subchapter E, Chapter 42, Education
25 Code, is amended by adding Section 42.25191 to read as follows:

26 Sec. 42.25191. ADDITIONAL STATE AID FOR LICENSED
27 PSYCHOLOGISTS OR PROFESSIONAL COUNSELORS. (a) For each school
28 year, from funds that may be used for the purpose, a school district
29 is entitled to state aid in an amount, as determined by the

1 commissioner, sufficient to assist the district in employing the
2 number of licensed psychologists or professional counselors
3 required by Section 33.907.

4 (b) The amount of state aid to which a school district is
5 entitled under this section is in addition to the amount of revenue
6 to which the district is entitled under Section 42.2516(b). This
7 subsection expires September 1, 2017.

8 (c) The commissioner shall adopt rules as necessary to
9 administer this section.

10 (b) This section applies beginning with the 2013-2014
11 school year.

12 SECTION _____. Section 466.408(b), Government Code, is
13 amended to read as follows:

14 (b) If a claim is not made for prize money on or before the
15 180th day after the date on which the winner was selected, the prize
16 money shall be used in the following order of priority:

17 (1) subject to legislative appropriation, not more
18 than \$20 million in prize money each year may be deposited to or
19 appropriated from the [~~Texas~~] Department of State Health Services
20 state-owned multicategorical teaching hospital account, which is
21 an account in the general revenue fund;

22 (2) not more than \$5 million in prize money each year
23 may be appropriated to the Health and Human Services Commission and
24 shall be used to support the provision of inpatient hospital
25 services in hospitals located in the 15 counties that comprise the
26 Texas-Mexico border area, with payment for those services to be not
27 less than the amount established under the Tax Equity and Fiscal
28 Responsibility Act of 1982 (TEFRA) cost reimbursement methodology
29 for the hospital providing the services;

30 (3) not more than [~~the remaining amount, not to~~
31 ~~exceed~~] \$5 million in prize money in each state fiscal year less any

1 amount deposited in the fund in that year attributable to the
2 lottery game operated under Section 466.027, shall be deposited to
3 the fund for veterans' assistance; ~~and~~

4 (4) subject to legislative appropriation, the amount
5 determined by the legislature of prize money in each state fiscal
6 year may be appropriated to the Texas Education Agency for purposes
7 of providing additional state aid to school districts for
8 employment of licensed psychologists and professional counselors
9 as provided by Section 42.25191, Education Code; and

10 (5) all prize money subject to this section and not
11 appropriated or deposited as provided by Subdivision (1), (2), (3),
12 or (4) [~~from the Texas Department of Health state-owned~~
13 ~~multicategorical teaching hospital account, not appropriated to~~
14 ~~the Health and Human Services Commission for the purpose specified~~
15 ~~in Subdivision (2), and not deposited under Subdivision (3),]~~ shall
16 be deposited in the general revenue fund and may be appropriated for
17 any purpose as determined by the legislature, including the
18 provision of indigent health care services as specified in Chapter
19 61, Health and Safety Code.

20 SECTION _____. The change in law made by this Act to Section
21 466.408(b), Government Code, applies only to a prize for which the
22 winner is selected on or after September 1, 2013. A prize for which
23 the winner was selected before September 1, 2013, is governed by the
24 law as it existed immediately before the effective date of this Act,
25 and that law is continued in effect for that purpose.

