

By: Pitts

H.B. No. 1027

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the established schedule of payments from the
3 foundation school fund of the yearly entitlement of certain school
4 districts; making an appropriation.

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

6 SECTION 1. Section 42.259, Education Code, is amended by
7 amending Subsections (c), (d), and (f) and adding Subsections (c-1)
8 and (d-1) to read as follows:

9 (c) Payments from the foundation school fund to each
10 category 2 school district shall be made as follows:

11 (1) 22 percent of the yearly entitlement of the
12 district shall be paid in an installment to be made on or before the
13 25th day of September of a fiscal year;

14 (2) 18 percent of the yearly entitlement of the
15 district shall be paid in an installment to be made on or before the
16 25th day of October;

17 (3) 9.5 percent of the yearly entitlement of the
18 district shall be paid in an installment to be made on or before the
19 25th day of November;

20 (4) 7.5 percent of the yearly entitlement of the
21 district shall be paid in an installment to be made on or before the
22 25th day of April;

23 (5) five percent of the yearly entitlement of the
24 district shall be paid in an installment to be made on or before the

1 25th day of May;

2 (6) 10 percent of the yearly entitlement of the
3 district shall be paid in an installment to be made on or before the
4 25th day of June;

5 (7) 13 percent of the yearly entitlement of the
6 district shall be paid in an installment to be made on or before the
7 25th day of July; and

8 (8) 15 percent of the yearly entitlement of the
9 district shall be paid in an installment to be made on or before the
10 25th day of August [~~after the 5th day of September and not later~~
11 ~~than the 10th day of September of the calendar year following the~~
12 ~~calendar year of the payment made under Subdivision (1)].~~

13 (c-1) Notwithstanding Subsection (c)(8), for the state
14 fiscal year ending August 31, 2013, the installment described by
15 that subdivision shall be paid on or before the 30th day of August,
16 2013. This subsection expires August 31, 2013.

17 (d) Payments from the foundation school fund to each
18 category 3 school district shall be made as follows:

19 (1) 45 percent of the yearly entitlement of the
20 district shall be paid in an installment to be made on or before the
21 25th day of September of a fiscal year;

22 (2) 35 percent of the yearly entitlement of the
23 district shall be paid in an installment to be made on or before the
24 25th day of October; and

25 (3) 20 percent of the yearly entitlement of the
26 district shall be paid in an installment to be made on or before the
27 25th day of August [~~after the 5th day of September and not later~~

1 ~~than the 10th day of September of the calendar year following the~~
2 ~~calendar year of the payment made under Subdivision (1)].~~

3 (d-1) Notwithstanding Subsection (d)(3), for the state
4 fiscal year ending August 31, 2013, the installment described by
5 that subdivision shall be paid on or before the 30th day of August,
6 2013. This subsection expires August 31, 2013.

7 (f) Previously [~~Except as provided by Subsection (c)(8) or~~
8 ~~(d)(3), any previously]~~ unpaid additional funds from prior fiscal
9 years owed to a district shall be paid to the district together with
10 the September payment of the current fiscal year entitlement.

11 SECTION 2. Section 466.355(c), Government Code, is amended
12 to read as follows:

13 (c) Each August the comptroller shall:

14 (1) estimate the amount to be transferred to the
15 foundation school fund on or before September 15; and

16 (2) notwithstanding Subsection (b)(4), transfer the
17 amount estimated in Subdivision (1) to the foundation school fund
18 before August installment payments are made under Section 42.259,
19 Education Code [25].

20 SECTION 3. There is appropriated to the Texas Education
21 Agency from the Foundation School Fund No. 193 \$1,750,000,000 in
22 fiscal year 2013 for payment of the installment to be paid on or
23 before August 30, 2013, as provided by Sections 42.259(c-1) and
24 (d-1), Education Code, as added by this Act.

25 SECTION 4. In Rider 3, page III-7, Chapter 1355 (H.B. 1),
26 Acts of the 82nd Legislature, Regular Session, 2011 (the General
27 Appropriations Act), the amount specified as the sum-certain

1 appropriation to the Foundation School Program in fiscal year 2013
2 is increased by \$1,750,000,000.

3 SECTION 5. The changes made by this Act to Section 42.259,
4 Education Code, apply only to a payment from the foundation school
5 fund that is made on or after the effective date of this Act. A
6 payment to a school district from the foundation school fund that is
7 made before that date is governed by Section 42.259, Education
8 Code, as it existed before amendment by this Act, and the former law
9 is continued in effect for that purpose.

10 SECTION 6. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect on the 91st day after the last day of the
15 legislative session.