

By: Deuell

S.B. No. 775

A BILL TO BE ENTITLED

AN ACT

relating to public school finance.

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

SECTION 1. Subsection (a), Section 12.106, Education Code, as effective until September 1, 2017, is amended to read as follows:

(a) A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 42 equal to the greater of:

(1) except as provided by Subsection (a-5), the percentage specified by Section 42.2516(i) multiplied by the amount of funding per student in weighted average daily attendance, excluding enrichment funding under Sections 42.302(a-1)(2) and (3), as they existed on January 1, 2009, that would have been received for the school during the 2009-2010 school year under Chapter 42 as it existed on January 1, 2009, and an additional amount of the percentage specified by Section 42.2516(i) multiplied by \$120 for each student in weighted average daily attendance; or

(2) the amount of funding per student in weighted average daily attendance, excluding enrichment funding under Section 42.302(a), to which the charter holder would be entitled for the school under Chapter 42 if the school were a school district without a tier one local share for purposes of Section 42.253 and without any local revenue for purposes of Section 42.2516.

SECTION 2. Section 12.106, Education Code, is amended by

1 adding Subsections (a-5) and (a-6) to read as follows:

2 (a-5) The commissioner shall reduce the amount of state
3 funding provided to a charter holder under Subsection (a)(1) to an
4 amount equal to:

5 (1) for the state fiscal year beginning September 1,
6 2013, the amount calculated under that subsection multiplied by
7 0.80;

8 (2) for the state fiscal year beginning September 1,
9 2014, the amount calculated under that subsection multiplied by
10 0.60;

11 (3) for the state fiscal year beginning September 1,
12 2015, the amount calculated under that subsection multiplied by
13 0.40; and

14 (4) for the state fiscal year beginning September 1,
15 2016, the amount calculated under that subsection multiplied by
16 0.20.

17 (a-6) Subsection (a-5) and this subsection expire September
18 1, 2017.

19 SECTION 3. Section 42.2516, Education Code, as effective
20 until September 1, 2017, is amended by amending Subsection (b) and
21 adding Subsection (j) to read as follows:

22 (b) Except as provided by Subsections (j) and
23 notwithstanding [~~Notwithstanding~~] any other provision of this
24 title, a school district that imposes a maintenance and operations
25 tax at a rate at least equal to the product of the state compression
26 percentage multiplied by the maintenance and operations tax rate
27 adopted by the district for the 2005 tax year is entitled to at

1 least the amount of state revenue necessary to provide the district
2 with the sum of:

3 (1) the percentage specified by Subsection (i) of the
4 amount, as calculated under Subsection (e), of state and local
5 revenue per student in weighted average daily attendance for
6 maintenance and operations that the district would have received
7 during the 2009-2010 school year under Chapter 41 and this chapter,
8 as those chapters existed on January 1, 2009, at a maintenance and
9 operations tax rate equal to the product of the state compression
10 percentage for that year multiplied by the maintenance and
11 operations tax rate adopted by the district for the 2005 tax year;

12 (2) the percentage specified by Subsection (i) of an
13 amount equal to the product of \$120 multiplied by the number of
14 students in weighted average daily attendance in the district; and

15 (3) any amount to which the district is entitled under
16 Section 42.106.

17 (j) The commissioner shall reduce the amount of state aid
18 provided to a school district under this section to an amount equal
19 to:

20 (1) for the state fiscal year beginning September 1,
21 2013, the amount calculated under Subsections (a)-(i) multiplied by
22 0.80;

23 (2) for the state fiscal year beginning September 1,
24 2014, the amount calculated under Subsections (a)-(i) multiplied by
25 0.60;

26 (3) for the state fiscal year beginning September 1,
27 2015, the amount calculated under Subsections (a)-(i) multiplied by

1 0.40; and

2 (4) for the state fiscal year beginning September 1,
3 2016, the amount calculated under Subsections (a)-(i) multiplied by
4 0.20.

5 SECTION 4. Section 42.25161, Education Code, is amended by
6 amending Subsection (a) and adding Subsection (a-1) to read as
7 follows:

8 (a) Except as provided by Subsection (a-1), the ~~[The]~~
9 commissioner shall provide South Texas Independent School District
10 with the amount of state aid necessary to ensure that the district
11 receives an amount of state and local revenue per student in
12 weighted average daily attendance that is at least the percentage
13 specified by Section 42.2516(i) of \$120 greater than the amount the
14 district would have received per student in weighted average daily
15 attendance during the 2009-2010 school year under this chapter, as
16 it existed on January 1, 2009, at a maintenance and operations tax
17 rate equal to the product of the state compression percentage
18 multiplied by the maintenance and operations tax rate adopted by
19 the district for the 2005 tax year, provided that the district
20 imposes a maintenance and operations tax at that rate.

21 (a-1) The commissioner shall reduce the amount of state aid
22 provided to South Texas Independent School District under
23 Subsection (a) to an amount equal to:

24 (1) for the state fiscal year beginning September 1,
25 2013, the amount calculated under that subsection multiplied by
26 0.80;

27 (2) for the state fiscal year beginning September 1,

1 2014, the amount calculated under that subsection multiplied by
2 0.60;

3 (3) for the state fiscal year beginning September 1,
4 2015, the amount calculated under that subsection multiplied by
5 0.40; and

6 (4) for the state fiscal year beginning September 1,
7 2016, the amount calculated under that subsection multiplied by
8 0.20.

9 SECTION 5. It is the intent of the legislature that the
10 savings of state revenue realized from phasing out Additional State
11 Aid For Tax Reduction (ASATR) under this Act be used to increase the
12 basic allotment to which a school district is entitled under
13 Section 42.101, Education Code.

14 SECTION 6. The changes in law made by this Act apply
15 beginning with the 2013-2014 school year.

16 SECTION 7. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2013.