

By: Davis

S.B. No. 1048

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the regular program adjustment factor under the
3 Foundation School Program.

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

5 SECTION 1. The heading to Section 42.101, Education Code,
6 is amended to read as follows:

7 Sec. 42.101. BASIC ALLOTMENT [~~AND REGULAR PROGRAM~~
8 ~~ALLOTMENTS~~].

9 SECTION 2. Section 42.101(a), Education Code, is amended to
10 read as follows:

11 (a) For each student in average daily attendance, not
12 including the time students spend each day in special education
13 programs in an instructional arrangement other than mainstream or
14 career and technology education programs, for which an additional
15 allotment is made under Subchapter C, a district is entitled to an
16 [~~The basic~~] allotment [~~is an amount~~] equal to the lesser of \$4,765
17 or the amount that results from the following formula:

18
$$A = \$4,765 \times (\text{DCR}/\text{MCR})$$

19 where:

20 "A" is the allotment to which [~~resulting amount for~~] a
21 district is entitled;

22 "DCR" is the district's compressed tax rate, which is the
23 product of the state compression percentage, as determined under
24 Section 42.2516, multiplied by the maintenance and operations tax

1 rate adopted by the district for the 2005 tax year; and

2 "MCR" is the state maximum compressed tax rate, which is the
3 product of the state compression percentage, as determined under
4 Section 42.2516, multiplied by \$1.50.

5 SECTION 3. Section 42.105, Education Code, is amended to
6 read as follows:

7 Sec. 42.105. SPARSITY ADJUSTMENT. Notwithstanding
8 Sections 42.101, 42.102, and 42.103, a school district that has
9 fewer than 130 students in average daily attendance shall be
10 provided an adjusted basic [~~a regular program~~] allotment on the
11 basis of 130 students in average daily attendance if it offers a
12 kindergarten through grade 12 program and has preceding or current
13 year's average daily attendance of at least 90 students or is 30
14 miles or more by bus route from the nearest high school district. A
15 district offering a kindergarten through grade 8 program whose
16 preceding or current year's average daily attendance was at least
17 50 students or which is 30 miles or more by bus route from the
18 nearest high school district shall be provided an adjusted basic [~~a~~
19 ~~regular program~~] allotment on the basis of 75 students in average
20 daily attendance. An average daily attendance of 60 students shall
21 be the basis of providing the adjusted basic [~~regular program~~]
22 allotment if a district offers a kindergarten through grade 6
23 program and has preceding or current year's average daily
24 attendance of at least 40 students or is 30 miles or more by bus
25 route from the nearest high school district.

26 SECTION 4. Section 42.251(a), Education Code, is amended to
27 read as follows:

1 (a) The sum of the basic [~~regular program~~] allotment under
2 Subchapter B and the special allotments under Subchapter C,
3 computed in accordance with this chapter, constitute the tier one
4 allotments. The sum of the tier one allotments and the guaranteed
5 yield allotments under Subchapter F, computed in accordance with
6 this chapter, constitute the total cost of the Foundation School
7 Program.

8 SECTION 5. The following sections of the Education Code are
9 repealed:

- 10 (1) Sections 12.106(a-3) and (a-4); and
11 (2) Sections 42.101(c), (c-1), (c-2), and (c-3).

12 SECTION 6. The following sections of Chapter 4 (S.B. 1),
13 Acts of the 82nd Legislature, 1st Called Session, 2011, which are
14 effective September 1, 2015, are repealed:

- 15 (1) Section 57.09, which amended Section 42.101,
16 Education Code;
17 (2) Section 57.11, which amended Section 42.105,
18 Education Code; and
19 (3) Section 57.15, which amended Section 42.251(a),
20 Education Code.

21 SECTION 7. This Act takes effect September 1, 2013.