

By: Paxton
(Huberty)

S.B. No. 1658

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the effect of certain state aid on school districts
3 required to take action to equalize wealth under the school finance
4 system.

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

6 SECTION 1. The heading to Section 41.0041, Education Code,
7 is amended to read as follows:

8 Sec. 41.0041. EFFECT OF [~~ADDITIONAL~~] STATE AID [~~FOR TAX~~
9 ~~REDUCTION~~].

10 SECTION 2. Subsections (b), (c), and (d), Section 41.0041,
11 Education Code, are amended to read as follows:

12 (b) When the commissioner initially identifies a school
13 district under Section 41.004 as having a wealth per student for a
14 school year that exceeds the equalized wealth level, the
15 commissioner shall estimate:

16 (1) the amount of state revenue to which the district
17 is entitled under Chapter 42 [~~Section 42.2516~~] for that school
18 year; and

19 (2) the cost to the district to purchase attendance
20 credits under Subchapter D in an amount sufficient to reduce the
21 district's wealth per student to the equalized wealth level for
22 that school year.

23 (c) If the commissioner determines that the amount
24 described by Subsection (b)(1) exceeds the amount described by

1 Subsection (b)(2), the commissioner shall notify the district of
2 the commissioner's determination. In lieu of exercising an option
3 described by Section 41.003, the district's board of trustees may
4 authorize the commissioner to withhold from the state revenue to
5 which the district is entitled under Chapter 42 [~~Section 42.2516~~]
6 an amount equal to the amount described by Subsection (b)(2).

7 (d) In calculating the amount of state revenue to be
8 withheld from a school district under this section, the
9 commissioner shall calculate the cost for the district to reduce
10 the district's wealth per student to the equalized wealth level
11 using the final attendance and tax rate data for the school year and
12 shall award the district any available credit or discount under
13 Subchapter D as if the district had exercised the option under
14 Section 41.003(3) in a timely manner. If the final amount
15 calculated for the cost for the district to reduce the district's
16 wealth per student to the equalized wealth level for a school year
17 exceeds the amount of state revenue to which the district is
18 entitled under Chapter 42 [~~Section 42.2516~~] for that year:

19 (1) the commissioner shall:

20 (A) withhold the entire amount of state revenue
21 to which the district is entitled under Chapter 42 [~~Section~~
22 ~~42.2516~~] for that year; and

23 (B) withhold the additional amount of the cost
24 for the district to reduce the district's wealth per student to the
25 equalized wealth level for that year from the state revenue to which
26 the district is entitled under Chapter 42 [~~Section 42.2516~~] for a
27 subsequent school year, or if the additional amount exceeds the

1 amount of state revenue to which the district is entitled, add the
2 difference to the cost of the attendance credits that the district
3 must purchase in the subsequent year; and

4 (2) the district is not required to take any further
5 action to reduce its wealth per student for that year.

6 SECTION 3. Subsection (a), Section 57.32, Chapter 4 (S.B.
7 1), Acts of the 82nd Legislature, 1st Called Session, 2011, is
8 amended to read as follows:

9 (a) Effective September 1, 2017, the following provisions
10 of the Education Code are repealed:

- 11 (1) [~~Section 41.0041;~~
12 [~~(2)~~] Subsections (b), (b-1), (b-2), (c), (d), (e),
13 (f), (f-1), (f-2), (f-3), and (i), Section 42.2516;
14 (2) [~~(3)~~] Section 42.25161;
15 (3) [~~(4)~~] Subsection (c), Section 42.2523;
16 (4) [~~(5)~~] Subsection (g), Section 42.2524;
17 (5) [~~(6)~~] Subsection (c-1), Section 42.253; and
18 (6) [~~(7)~~] Section 42.261.

19 SECTION 4. This Act takes effect September 1, 2013.