

BILL ANALYSIS

Senate Research Center
84R20088 CAE-D

H.B. 1474
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Education
5/17/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Recent legislation created the instructional materials allotment, but it has been reported the legislation had unintended consequences, such as splitting the distribution of the allotment between the first and second year of each biennium. There are concerns that this split creates many issues for school districts purchasing instructional materials as they face new textbook proclamations and associated costs that can exceed the yearly appropriated amounts. H.B. 1474 seeks to alleviate this issue and allow districts to spend allotments more efficiently.

H.B. 1474 amends current law relating to the placement of money in the state instructional materials fund and payment of the instructional materials allotment.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 31.0211(a) and (d), Education Code, as follows:

(a) Entitles a school district to an allotment each biennium, rather than an annual allotment, from the state instructional materials fund for each student enrolled in the district on a date during the last year of the preceding biennium, rather than during the preceding school year, specified by the commissioner of education (commissioner). Requires the commissioner to determine the amount of the allotment per student each biennium, rather than each year, on the basis of the amount of money available in the state instructional materials fund to fund the allotment. Makes no further change to this subsection.

(d) Changes a reference to year to biennium.

SECTION 2. Amends Section 31.0212(a), Education Code, as follows:

(a) Requires the commissioner to maintain an instructional materials account for each school district. Requires the commissioner, in the first year of each biennium, rather than in each school year, to deposit in the account for each district the amount of the district's instructional materials allotment under Section 31.0211 (Instructional Materials Allotment).

SECTION 3. Amends Sections 31.0215(a) and (b), Education Code, as follows:

(a) Requires the commissioner to, as early as practicable during each biennium, rather than each fiscal year, notify each school district and open-enrollment charter school of the estimated amount to which the district or charter school will be entitled under Section 31.0211 during the next fiscal biennium, rather than next fiscal year.

(b) Changes a reference to year to biennium.

SECTION 4. Amends Section 43.001(d), Education Code, as follows:

(d) Requires the State Board of Education each biennium to set aside an amount equal to 50 percent of the distribution, rather than annual distribution, for that biennium from the permanent school fund to the available school fund as provided by Section 5(a) (providing that the permanent school fund consists of all land appropriated for public schools by this constitution or the other laws of this state, other properties belonging to the permanent school fund, and all revenue derived from the land or other properties), Article VII, Texas Constitution, to be placed, subject to the General Appropriations Act, in the state instructional materials fund established under Section 31.021 (State Instructional Materials Fund). Changes references to year to biennium.

SECTION 5. Amends Section 403.093(d), Government Code, as follows:

(d) Requires the comptroller of public accounts of the State of Texas (comptroller) to transfer from the general revenue fund to the foundation school fund an amount of money necessary to fund the foundation school program as provided by Chapter 42 (Foundation School Program), Education Code. Requires the comptroller to make the transfers in installments as necessary to comply with Section 42.259 (Foundation School Fund Transfers), Education Code, and permit the Texas Education Agency, to the extent authorized by the General Appropriations Act, to make temporary transfers from the foundation school fund for payment of the instructional materials allotment under Section 31.0211, Education Code. Requires that an installment, unless an earlier date is necessary for purposes of temporary transfers for payment of the instructional materials allotment, be made not earlier than two days before the date an installment to school districts is required by Section 42.259, Education Code, and not exceed the amount necessary for that payment and any temporary transfers for payment of the instructional materials allotment.

SECTION 6. Effective date: September 1, 2015.