

By: VanDeaver, Guillen, Bernal, et al.

H.B. No. 1474

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the placement of money in the state instructional
3 materials fund and payment of the instructional materials
4 allotment.

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

6 SECTION 1. Sections 31.0211(a) and (d), Education Code, are
7 amended to read as follows:

8 (a) A school district is entitled to an [~~annual~~]
9 each biennium from the state instructional materials fund for each
10 student enrolled in the district on a date during the last year of
11 the preceding biennium [~~school year~~] specified by the
12 commissioner. The commissioner shall determine the amount of the
13 allotment per student each biennium [~~year~~] on the basis of the
14 amount of money available in the state instructional materials fund
15 to fund the allotment. An allotment under this section shall be
16 transferred from the state instructional materials fund to the
17 credit of the district's instructional materials account as
18 provided by Section 31.0212.

19 (d) Each biennium [~~year~~] a school district shall use the
20 district's allotment under this section to purchase, in the
21 following order:

22 (1) instructional materials necessary to permit the
23 district to certify that the district has instructional materials
24 that cover all elements of the essential knowledge and skills of the

1 required curriculum, other than physical education, for each grade
2 level as required by Section 28.002; and

3 (2) any other instructional materials or
4 technological equipment as determined by the district.

5 SECTION 2. Section 31.0212(a), Education Code, is amended
6 to read as follows:

7 (a) The commissioner shall maintain an instructional
8 materials account for each school district. In the first year of
9 each biennium [~~Each school year~~], the commissioner shall deposit in
10 the account for each district the amount of the district's
11 instructional materials allotment under Section 31.0211.

12 SECTION 3. Sections 31.0215(a) and (b), Education Code, are
13 amended to read as follows:

14 (a) The commissioner shall, as early as practicable during
15 each biennium [~~fiscal year~~], notify each school district and
16 open-enrollment charter school of the estimated amount to which the
17 district or charter school will be entitled under Section 31.0211
18 during the next fiscal biennium [~~year~~].

19 (b) The commissioner may allow a school district or
20 open-enrollment charter school to place an order for instructional
21 materials before the beginning of a fiscal biennium [~~year~~] and to
22 receive instructional materials before payment. The commissioner
23 shall limit the cost of an order placed under this section to 80
24 percent of the estimated amount to which a school district or
25 open-enrollment charter school is estimated to be entitled as
26 provided by Subsection (a) and shall first credit any balance in a
27 district or charter school instructional materials account to pay

1 for an order placed under this section.

2 SECTION 4. Section 43.001(d), Education Code, is amended to
3 read as follows:

4 (d) Each biennium [~~year~~] the State Board of Education shall
5 set aside an amount equal to 50 percent of the [~~annual~~] distribution
6 for that biennium [~~year~~] from the permanent school fund to the
7 available school fund as provided by Section 5(a), Article VII,
8 Texas Constitution, to be placed, subject to the General
9 Appropriations Act, in the state instructional materials fund
10 established under Section 31.021.

11 SECTION 5. Section 403.093(d), Government Code, is amended
12 to read as follows:

13 (d) The comptroller shall transfer from the general revenue
14 fund to the foundation school fund an amount of money necessary to
15 fund the foundation school program as provided by Chapter 42,
16 Education Code. The comptroller shall make the transfers in
17 installments as necessary to comply with Section 42.259, Education
18 Code, and permit the Texas Education Agency, to the extent
19 authorized by the General Appropriations Act, to make temporary
20 transfers from the foundation school fund for payment of the
21 instructional materials allotment under Section 31.0211, Education
22 Code. Unless an earlier date is necessary for purposes of temporary
23 transfers for payment of the instructional materials allotment, an
24 [~~An~~] installment must be made not earlier than two days before the
25 date an installment to school districts is required by Section
26 42.259, Education Code, and must not exceed the amount necessary
27 for that payment and any temporary transfers for payment of the

1 instructional materials allotment.

2 SECTION 6. This Act takes effect September 1, 2015.