

By: Zerwas

H.B. No. 30

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to making supplemental appropriations and giving  
3 direction and making adjustments regarding appropriations for  
4 public school finance.

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

6 SECTION 1. APPROPRIATION: TEXAS EDUCATION AGENCY. (a) In  
7 addition to other amounts appropriated to the Texas Education  
8 Agency for the state fiscal biennium beginning September 1, 2017,  
9 the following appropriations are made to the agency from the  
10 Foundation School Fund, general revenue account number 0193, for  
11 Strategy A.1.1., FSP-Equalized Operations, as listed in the  
12 appropriations made to the agency in Chapter 605 (S.B. 1), Acts of  
13 the 85th Legislature, Regular Session, 2017 (the General  
14 Appropriations Act):

15 (1) \$963,500,000 for the state fiscal year beginning  
16 September 1, 2017; and

17 (2) \$963,500,000 for the state fiscal year beginning  
18 September 1, 2018.

19 (b) Notwithstanding the sum-certain appropriations  
20 specified in Rider 3, Chapter 605 (S.B. 1), Acts of the 85th  
21 Legislature, Regular Session, 2017 (the General Appropriations  
22 Act), to the bill pattern of the appropriations to the Texas  
23 Education Agency, the Legislative Budget Board shall determine the  
24 sum-certain appropriation to the Foundation School Program for each

1 year of the state fiscal biennium beginning September 1, 2017,  
2 based on the amount specified in that rider, the other provisions of  
3 the General Appropriations Act, and other law, including the  
4 provisions of this Act.

5 (c) Notwithstanding Rider 3, Chapter 605 (S.B. 1), Acts of  
6 the 85th Legislature, Regular Session, 2017 (the General  
7 Appropriations Act), to the bill pattern of the appropriations to  
8 the Texas Education Agency, for purposes of distributing the  
9 Foundation School Program basic tier state aid appropriated for the  
10 state fiscal biennium beginning September 1, 2017, and in  
11 accordance with Section [42.101](#), Education Code, the basic allotment  
12 is established at \$5,350 for the state fiscal year beginning  
13 September 1, 2017, and \$5,350 for the state fiscal year beginning  
14 September 1, 2018.

15 (d) Out of amounts appropriated to the Texas Education  
16 Agency in Subsection (a) of this section, the commissioner of  
17 education shall allocate \$15,000,000 for the state fiscal year  
18 beginning September 1, 2017, and \$15,000,000 for the state fiscal  
19 year beginning September 1, 2018, to making grants under Section  
20 [29.018](#), Education Code, to school districts and open-enrollment  
21 charter schools to assist in covering the cost of educating  
22 students with disabilities. It is the intent of the legislature  
23 that:

24 (1) except as inconsistent with general law, expenses  
25 for which a school district or open-enrollment charter school may  
26 use money allocated under this section and awarded to the district  
27 or school as a grant include:

1 (A) fees for educational therapies or support  
2 services provided by a practitioner or other provider;

3 (B) transportation costs necessary for a student  
4 to receive educational support services;

5 (C) costs associated with purchasing  
6 instructional materials, as defined by Section 31.002, Education  
7 Code; and

8 (D) costs of computer hardware and software and  
9 other assistive technological devices intended to facilitate a  
10 student's learning; and

11 (2) the commissioner of education require a school  
12 district or open-enrollment charter school awarded grant money  
13 described by this subsection to report to the Texas Education  
14 Agency on the district's or school's use of that money.

15 SECTION 2. APPROPRIATION REDUCTION: TEXAS EDUCATION  
16 AGENCY. The appropriations to the Texas Education Agency for the  
17 state fiscal year beginning September 1, 2018, from the Foundation  
18 School Fund, general revenue account number 0193, for Strategy  
19 A.1.1., FSP-Equalized Operations, made by Chapter 605 (S.B. 1),  
20 Acts of the 85th Legislature, Regular Session, 2017 (the General  
21 Appropriations Act), are reduced by \$1,927,000,000. It is the  
22 intent of the legislature that the August 2019 Foundation School  
23 Program payment to school districts be deferred and made in  
24 September 2019 in accordance with this Act and the Act described by  
25 Section 3(a)(2) of this Act.

26 SECTION 3. CONTINGENCY. (a) This Act takes effect only if  
27 the 85th Legislature, 1st Called Session, 2017, enacts the

1 following and the Acts become law:

2 (1) H.B. 21 or another Act that improves equity in and  
3 reduces the amount of school property tax revenue subject to  
4 recapture under the public school finance system and increases this  
5 state's share of the funding for the Foundation School Program; and

6 (2) an Act authorizing the deferral of the August 2019  
7 Foundation School Program payment to school districts.

8 (b) If an Act described by Subsection (a)(1) of this section  
9 or an Act described by Subsection (a)(2) of this section does not  
10 become law, this Act has no effect.

11 SECTION 4. EFFECTIVE DATE. Except as otherwise provided by  
12 this Act:

13 (1) this Act takes effect immediately if it receives a  
14 vote of two-thirds of all the members elected to each house, as  
15 provided by Section 39, Article III, Texas Constitution; and

16 (2) if this Act does not receive the vote necessary for  
17 immediate effect, this Act takes effect on the 91st day after the  
18 last day of the legislative session.