

By: Rodríguez

S.B. No. 37

A BILL TO BE ENTITLED

AN ACT

relating to stipends for certain public school teachers.

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

SECTION 1. Subchapter I, Chapter 21, Education Code, is amended by adding Section 21.4023 to read as follows:

Sec. 21.4023. ADDITIONAL COMPENSATION. (a) A classroom teacher is entitled to:

(1) an annual stipend of \$500 if the teacher has at least three years of classroom experience; and

(2) an annual stipend of \$500 if the teacher serves as a certified teacher in a subject area designated by the commissioner as a teacher shortage area.

(b) A stipend a teacher receives under this section:

(1) is in addition to the regular salary to which a teacher is otherwise entitled under the district's salary schedule; and

(2) is not considered in determining whether the district is paying the teacher the minimum monthly salary under Section 21.402.

SECTION 2. Section 42.2513(a), Education Code, is amended to read as follows:

(a) A school district, including a school district that is otherwise ineligible for state aid under this chapter, is entitled to state aid in an amount equal to the sum of:

1           (1) the product of \$500 multiplied by the number of  
2 full-time district employees, other than administrators or  
3 employees subject to the minimum salary schedule under Section  
4 [21.402](#); ~~and~~

5           (2) the product of \$500:

6                 (A) multiplied by the number of classroom  
7 teachers employed by the district who have at least three years of  
8 classroom experience; and

9                 (B) multiplied by the number of certified  
10 teachers employed by the district who serve as a teacher in a  
11 subject area designated by the commissioner as a teacher shortage  
12 area; and

13           (3) the product of \$250 multiplied by the number of  
14 part-time district employees, other than administrators.

15           SECTION 3. Section [822.201](#)(b), Government Code, as  
16 effective September 1, 2017, is amended to read as follows:

17           (b) "Salary and wages" as used in Subsection (a) means:

18                 (1) normal periodic payments of money for service the  
19 right to which accrues on a regular basis in proportion to the  
20 service performed;

21                 (2) amounts by which the member's salary is reduced  
22 under a salary reduction agreement authorized by Chapter [610](#);

23                 (3) amounts that would otherwise qualify as salary and  
24 wages under Subdivision (1) but are not received directly by the  
25 member pursuant to a good faith, voluntary written salary reduction  
26 agreement in order to finance payments to a deferred compensation  
27 or tax sheltered annuity program specifically authorized by state

1 law or to finance benefit options under a cafeteria plan qualifying  
2 under Section 125 of the Internal Revenue Code of 1986, if:

3 (A) the program or benefit options are made  
4 available to all employees of the employer; and

5 (B) the benefit options in the cafeteria plan are  
6 limited to one or more options that provide deferred compensation,  
7 group health and disability insurance, group term life insurance,  
8 dependent care assistance programs, or group legal services plans;

9 (4) performance pay awarded to an employee by a school  
10 district as part of a total compensation plan approved by the board  
11 of trustees of the district and meeting the requirements of  
12 Subsection (e);

13 (5) the benefit replacement pay a person earns under  
14 Subchapter H, Chapter 659, except as provided by Subsection (c);

15 (6) stipends paid to teachers in accordance with  
16 Section 21.4023, 21.410, 21.411, 21.412, or 21.413, Education Code;

17 (7) amounts by which the member's salary is reduced or  
18 that are deducted from the member's salary as authorized by  
19 Subchapter J, Chapter 659;

20 (8) a merit salary increase made under Section 51.962,  
21 Education Code;

22 (9) amounts received under the relevant parts of the  
23 educator excellence awards program under Subchapter O, Chapter 21,  
24 Education Code, or a mentoring program under Section 21.458,  
25 Education Code, that authorize compensation for service;

26 (10) salary amounts designated as health care  
27 supplementation by an employee under Subchapter D, Chapter 22,

1 Education Code; and

2 (11) to the extent required by Sections 3401(h) and  
3 414(u)(12), Internal Revenue Code of 1986, differential wage  
4 payments received by an individual from an employer on or after  
5 January 1, 2009, while the individual is performing qualified  
6 military service as defined by Section 414(u), Internal Revenue  
7 Code of 1986.

8 SECTION 4. Section 21.402(c-1), Education Code, is  
9 repealed.

10 SECTION 5. This Act applies beginning with the 2019-2020  
11 school year.

12 SECTION 6. This Act takes effect December 1, 2017.