

House Bill 30
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1.

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

- (1) \$963,500,000 for the state fiscal year beginning September 1, 2017; and
- (2) \$963,500,000 for the state fiscal year beginning September 1, 2018.

No equivalent provision.

SENATE VERSION (IE)

SECTION 1.

No equivalent provision.

(a) The amount of \$351,000,000 of the unencumbered appropriations from the general revenue fund for the state fiscal biennium ending August 31, 2019, made by S.B. 1, Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the Health and Human Services Commission is transferred to the Texas Education Agency to be used by the agency during that state fiscal biennium as follows: [FA2(1)]

- (1) \$150,000,000 is allocated to fund financial hardship grants under Subchapter H, Chapter 42, Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that enacts a new hardship grant program for the benefit of school districts that would otherwise experience a significant loss of revenue during the 2017-2018 or 2018-2019 school year;
- (2) \$60,000,000 is allocated to fund payments to open-

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enrollment charter schools under Section 12.106(d), Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that provides for funding to open-enrollment charter schools for instructional facilities;

(3) \$60,000,000 is allocated for the existing debt allotment under Section 46.032, Education Code, as amended by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that increases the level of funding under that allotment; [FA2(2)]

(4) \$41,000,000 is allocated for the small-sized district adjustment under Section 42.103, Education Code, as amended by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that addresses the entitlement under that adjustment for certain school districts that contain less than 300 square miles

(5) \$20,000,000 is allocated to be used to award grants authorized under Section 29.026, Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that enacts a program to award grants to school districts and open-enrollment charter schools that provide innovative services to students with autism; and

(6) \$20,000,000 is allocated to be used to award grants authorized under Section 29.027, Education Code, as added by H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or similar legislation that enacts a program to award grants to school districts and open-enrollment charter schools that provide innovative services to students with dyslexia. [FA2(3)]

No equivalent provision.

(b) The Health and Human Services Commission shall identify the strategies and objectives out of which the transfer

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under Subsection (a) of this section is to be made. If the commission makes the amount of appropriations transferred under Subsection (a) of this section available by delaying until the state fiscal biennium beginning September 1, 2019, the monthly capitation payments otherwise due in August 2019 to managed care organizations that contract with the commission to provide health care services to Medicaid recipients, the commission shall make the delayed payments as soon as possible out of available money appropriated to the commission for that state fiscal biennium. [FA3]

(b) Notwithstanding the sum-certain appropriations specified in Rider 3, Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the bill pattern of the appropriations to the Texas Education Agency, the Legislative Budget Board shall determine the sum-certain appropriation to the Foundation School Program for each year of the state fiscal biennium beginning September 1, 2017, based on the amount specified in that rider, the other provisions of the General Appropriations Act, and other law, including the provisions of this Act.

(c) Notwithstanding the sum-certain appropriations specified in Rider 3, Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the bill pattern of the appropriations to the Texas Education Agency, the Legislative Budget Board shall determine the sum-certain appropriation to the Foundation School Program for each year of the state fiscal biennium beginning September 1, 2017, based on the amount specified in that rider, the other provisions of the General Appropriations Act, and other law, including the provisions of this Act.

No equivalent provision.

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

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

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

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

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

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

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

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

No equivalent provision.

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No equivalent provision.

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(d) If H.B. 21, Acts of the 85th Legislature, 1st Called Session, 2017, or another similar Act that addresses additional funding under the public school finance system for the components described in Subsection (a) of this section also

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

No equivalent provision.

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transfers and allocates to those components the amount of unencumbered appropriations in the manner provided by that subsection, the transfer and allocation under Subsection (a) of this section does not occur.

No equivalent provision.

SECTION __. (a) The amount of \$212,000,000 of the unencumbered appropriations from the general revenue fund for the state fiscal biennium ending August 31, 2019, made by S.B. 1, Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the Health and Human Services Commission is transferred to the Teacher Retirement System of Texas and may be used by the retirement system during that state fiscal biennium to increase school districts' recruitment and retention of school teachers and provide support to participants in the Texas Public School Employees Group Insurance Program authorized by Chapter 1575, Insurance Code. The Health and Human Services Commission

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shall identify the strategies and objectives out of which the transfer is to be made.

(b) The Teacher Retirement System of Texas may use the money transferred under Subsection (a) of this section to:

(1) decrease the premiums and deductibles that would otherwise be paid during the 2018 and 2019 plan years by participants in the Texas Public School Employees Group Insurance Program authorized by Chapter 1575, Insurance Code; and

(2) reduce costs for an enrolled adult child with a mental disability or a physical incapacity during the 2018 and 2019 plan years.

(c) The Teacher Retirement System of Texas shall determine the most efficient allocation of the money transferred under Subsection (a) of this section to achieve the maximum benefit for participants in the program. [FA1]

SECTION 3. CONTINGENCY. (a) This Act takes effect only if the 85th Legislature, 1st Called Session, 2017, enacts the following and the Acts become law:

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

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

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

SECTION 2. This Act takes effect only if the 85th Legislature, 1st Called Session, 2017, enacts H.B. 21 or another similar Act that addresses additional funding under the public school finance system for the components described in Section 1 of this Act and H.B. 21 or that similar Act becomes law. If H.B. 21 or another similar Act described by this section does not become law, this Act has no effect.

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

- (1) this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution; and
- (2) if this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

SENATE VERSION (IE)

SECTION 3. Except as otherwise provided by this Act:

- (1) this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution; and
- (2) if this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

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