

## **BILL ANALYSIS**

C.S.H.B. 21  
By: Huberty  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties suggest that changes to the public school finance system are necessary in order to meet the requirement under the Texas Constitution that the legislature establish and make suitable provision for the support and maintenance of an efficient system of public free schools. C.S.H.B. 21 seeks to provide for such changes.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the commissioner of education in SECTION 22 of this bill.

### **ANALYSIS**

C.S.H.B. 21 repeals Education Code provisions relating to the hold harmless provision with regard to equalized wealth level, the transportation allotment, the high school allotment, and additional state aid for staff salary increases under the foundation school program (FSP). The bill amends the Education Code to exclude any adjustment in wealth per student that would have been provided under those provisions from the state and local revenue considered in determining the extent to which a public school district is entitled to additional state aid to offset the loss of revenue resulting from the increase in the residence homestead property tax exemption and the additional limitation on tax increases.

C.S.H.B. 21 removes the provision including transportation for a prekindergarten class, if provided by a school district, for funding purposes as part of the regular transportation system. The bill entitles the Texas School for the Deaf to a transportation allotment paid from the foundation school fund and requires the commissioner of education to determine the appropriate allotment. The bill authorizes a school district to receive an allotment paid from the fund for the transportation of students participating in a regional day school program for the deaf, as determined by the commissioner. The bill establishes that a county public school transportation system is not entitled to receive funding for transportation costs directly from the state but establishes that funding for such a system is provided by each school district participating in the system in accordance with the terms of the interlocal contract under which the county provides transportation services for the participating districts as provided by the Interlocal Cooperation Act.

C.S.H.B. 21 includes among the information each district and open-enrollment charter school reports through the Public Education Information Management System information regarding the number of students enrolled in the district or school who are identified as having disorders

related to dyslexia, in addition to those identified as having dyslexia.

C.S.H.B. 21 excludes amounts made available for the transportation of special education students from the requirement that the special education allotment be used in the state special education program. The bill increases the weight of the bilingual education allotment for each student in average daily attendance in a bilingual education or special language program from 0.1 to 0.11.

C.S.H.B. 21 includes as students for whom a public school district is entitled to the career and technology education allotment each full-time equivalent student in average daily attendance in a technology applications course approved for high school credit and each full-time student in average daily attendance in an approved career and technology education program in grade eight. The bill excludes amounts made available for the transportation of career and technology education students from the requirement that the career and technology allotment be used in providing career and technology education programs.

C.S.H.B. 21 replaces the requirement that the State Board of Education (SBOE) increase by rule certain indirect cost allotments in effect for the 2010-2011 school year in proportion to the average percentage reduction in total state and local maintenance and operations (M&O) revenue provided for the 2011-2012 school year as a result of legislation enacted by the 82nd Legislature, 1st Called Session, 2011, with a requirement that the SBOE revise by rule for the 2017-2018 and subsequent school years such indirect cost allotments in effect for the 2016-2017 school year to reflect any increase in the percentage of total M&O funding represented by the basic allotment as a result of Acts of the 85th Legislature, Regular Session, 2017.

C.S.H.B. 21 entitles a school district, for each student that the district serves who has been identified as having dyslexia or a related disorder, to an allotment equal to the district's adjusted basic allotment multiplied by 0.1 for each school year or a greater amount provided by appropriation. The bill limits this entitlement to a student who is receiving instruction that meets applicable dyslexia program criteria established by the Texas Education Agency and is provided by a person with specific training in providing that instruction or a student who has received that instruction and is permitted, on the basis of having dyslexia or a related disorder, to use modifications in the classroom and accommodations in the administration of statewide standardized tests. The bill requires funds allotted for a student with dyslexia or a related disorder to be used in providing services to such students and limits eligibility for the funding to not more than five percent of a district's students in average daily attendance. The bill authorizes a district to receive such funds for an eligible student and special education allotment funding if the student satisfies requirements applicable to both.

C.S.H.B. 21 changes the time at which the final foundation school fund payment of the current fiscal year entitlement is made to each category 2 and category 3 school district and each qualifying open-enrollment charter school from on or before the 25th day of August to after the fifth day of September and not later than the 10th day of September of the calendar year following the calendar year of the first payment. This change applies only to a payment from the foundation school fund that is made on or after September 1, 2018.

C.S.H.B. 21 authorizes the commissioner to administer a grant program from amounts appropriated for the purpose that provides grants to school districts to defray financial hardships resulting from changes made to statutory provisions relating to the equalized wealth level and the foundation school program (FSP) that apply after the 2016-2017 school year. The bill requires the commissioner to award grants to districts as provided by the bill and establishes that funding provided to a district under the grant program is in addition to all other funding provided under the FSP and with regard to the equalized wealth level. The bill authorizes the commissioner to obtain additional information as needed from a district or other state or local agency to make determinations in awarding grants under the program.

C.S.H.B. 21 requires the commissioner to award financial hardship grants to school districts

based on a funding formula that factors in the amount of funding under previous law to which a district would be entitled with regard to the equalized wealth level and the FSP as that law existed on January 1, 2017, determined using current school year data for the district; the amount of current law funding with regard to the equalized wealth level and under the FSP to which a district is entitled; a district's M&O tax rate, as specified by the comptroller's most recent certified report; the total funding available for financial hardship grants; and the sum of the combined amounts for all districts. The bill sets out provisions relating to the award of grants and the calculation of grant amounts using the formula.

C.S.H.B. 21 makes an open-enrollment charter school eligible for a financial hardship grant in the same manner as a school district and makes a regional education service center or a county department of education ineligible for such a grant.

C.S.H.B. 21 limits the amount of financial hardship grants awarded by the commissioner to \$125 million, or a greater amount provided by appropriation, for the 2017-2018 school year or \$75 million, or a greater amount provided by appropriation, for the 2018-2019 school year. The bill prohibits the commissioner from adjusting the amount of a district's grant based on revisions to the district's data received after a grant has been awarded. The bill authorizes the commissioner to adopt rules as necessary to administer the grant program. The bill establishes a determination by the commissioner under the grant program as final and prohibits its appeal. The bill's provisions relating to the grant program expire September 1, 2019.

C.S.H.B. 21 amends the Government Code to make a conforming change.

C.S.H.B. 21 repeals the following provisions of the Education Code:

- Section 29.097(g)
- Section 29.098(e)
- Section 34.002(c)
- Section 39.233
- Section 39.234
- Sections 41.002(e), (f), and (g)
- Section 42.1541(c)
- Section 42.155
- Section 42.160
- Section 42.2513

**EFFECTIVE DATE**

September 1, 2017.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 21 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Section 11.158(a), Education Code, is amended.	SECTION 1. Same as introduced version.
SECTION 2. Section 29.153(c), Education Code, is amended.	SECTION 2. Same as introduced version.

SECTION 3. Sections 29.918(a) and (b), Education Code, are amended.

SECTION 4. Subchapter C, Chapter 30, Education Code, is amended by adding Section 30.0561, TRANSPORTATION ALLOTMENT.

SECTION 5. Section 30.087(c), Education Code, is amended.

SECTION 6. Section 34.007, Education Code, is amended.

SECTION 7. Section 39.0233(a), Education Code, is amended.

SECTION 8. Section 41.099(a), Education Code, is amended.

SECTION 9. Section 41.257, Education Code, is amended.

SECTION 10. Section 42.006(a-1), Education Code, is amended.

No equivalent provision.

SECTION 3. Same as introduced version.

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.

SECTION 6. Same as introduced version.

SECTION 7. Same as introduced version.

SECTION 8. Same as introduced version.

SECTION 9. Same as introduced version.

SECTION 10. Same as introduced version.

SECTION 11. Section 42.101(a), Education Code, is amended to read as follows:  
(a) For each student in average daily attendance, not including the time students spend each day in special education programs in an instructional arrangement other than mainstream settings, [or] career and technology education programs, or technology applications courses approved for high school credit, for which an additional allotment is made under Subchapter C, a district is entitled to an allotment equal to the lesser of \$4,765 or the amount that results from the following formula:  
$$A = \$4,765 \times (DCR/MCR)$$
where:  
"A" is the allotment to which a district is entitled;  
"DCR" is the district's compressed tax rate, which is the product of the state compression percentage, as determined under Section 42.2516, multiplied by the maintenance and operations tax rate adopted by the district for the 2005 tax year; and  
"MCR" is the state maximum compressed tax rate, which is the product of the state compression percentage, as determined under Section 42.2516, multiplied by \$1.50.

SECTION 11. Section 42.151(h), Education Code, is amended.

No equivalent provision.

No equivalent provision.

SECTION 12. Section 42.154(c), Education Code, is amended to read as follows:

(c) Funds allocated under this section, other than an indirect cost allotment established under State Board of Education rule or amounts made available for the transportation of career and technology education students, must be used in providing career and technology education programs in grades nine through 12 or

SECTION 12. Same as introduced version.

SECTION 13. Section 42.153(a), Education Code, is amended to read as follows:

(a) For each student in average daily attendance in a bilingual education or special language program under Subchapter B, Chapter 29, a district is entitled to an annual allotment equal to the adjusted basic allotment multiplied by 0.11 [~~0.1~~].

SECTION 14. The heading to Section 42.154, Education Code, is amended to read as follows:

Sec. 42.154. CAREER AND TECHNOLOGY EDUCATION AND TECHNOLOGY APPLICATIONS ALLOTMENT.

SECTION 15. Sections 42.154(a), (b), (c), and (e), Education Code, are amended to read as follows:

(a) For each full-time equivalent student in average daily attendance in an approved career and technology education program in grades eight [~~nine~~] through 12, in a technology applications course approved for high school credit, or in career and technology education programs for students with disabilities in grades seven through 12, a district is entitled to:

(1) an annual allotment equal to the adjusted basic allotment multiplied by a weight of 1.35; and

(2) \$50, if the student is enrolled in:

(A) two or more advanced career and technology education classes for a total of three or more credits; or

(B) an advanced course as part of a tech-prep program under Subchapter T, Chapter 61.

(b) In this section, "full-time equivalent student" means 30 hours of contact a week between a student and career and technology education program or technology applications personnel.

(c) Funds allocated under this section, other than an indirect cost allotment established under State Board of Education rule or amounts made available for the transportation of career and technology education students, must be used in providing career and technology education programs in grades eight [~~nine~~] through 12,

career and technology education programs for students with disabilities in grades seven through 12 under Sections 29.182, 29.183, and 29.184.

technology applications courses approved for high school credit, or career and technology education programs for students with disabilities in grades seven through 12 under Sections 29.182, 29.183, and 29.184.

(e) Out of the total statewide allotment [~~for career and technology education~~] under this section, the commissioner shall set aside an amount specified in the General Appropriations Act, which may not exceed an amount equal to one percent of the total amount appropriated, to support regional career and technology education planning. After deducting the amount set aside under this subsection from the total amount appropriated for career and technology education and technology applications under this section, the commissioner shall reduce each district's tier one allotments in the same manner described for a reduction in allotments under Section 42.253.

SECTION 13. Section 42.1541(a), Education Code, is amended.

SECTION 16. Same as introduced version.

SECTION 14. Subchapter C, Chapter 42, Education Code, is amended by adding Section 42.1561, ALLOTMENT FOR STUDENT WITH DYSLEXIA OR RELATED DISORDER.

SECTION 17. Same as introduced version.

No equivalent provision.

SECTION 18. Section 42.2518(a), Education Code, as effective September 1, 2017, is amended to read as follows:

(a) Beginning with the 2017-2018 school year, a school district is entitled to additional state aid to the extent that state and local revenue under this chapter and Chapter 41 is less than the state and local revenue that would have been available to the district under Chapter 41 and this chapter as those chapters existed on September 1, 2015, excluding any state aid or adjustment in wealth per student that would have been provided under former Section 41.002(e)-(g), 42.155, 42.160, 42.2513, or 42.2516, if the increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, and the additional limitation on tax increases under Section 1-b(d) of that article as proposed by S.J.R. 1, 84th Legislature, Regular Session, 2015, had not occurred.

No equivalent provision.

SECTION 19. Sections 42.259(c), (d), and (f), Education Code, are amended to read as follows:

(c) Payments from the foundation school fund to each category 2 school district shall be made as follows:

(1) 22 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(2) 18 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October;

(3) 9.5 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of November;

(4) 7.5 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of April;

(5) five percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of May;

(6) 10 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of June;

(7) 13 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of July; and

(8) 15 percent of the yearly entitlement of the district shall be paid in an installment to be made after the 5th day of September and not later than the 10th day of September of the calendar year following the calendar year of the payment made under Subdivision (1) ~~[on or before the 25th day of August]~~.

(d) Payments from the foundation school fund to each category 3 school district shall be made as follows:

(1) 45 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(2) 35 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October; and

(3) 20 percent of the yearly entitlement of the district shall be paid in an installment to be made after the 5th day of September and not later than the 10th day of September of the calendar year following the calendar year of the payment made under Subdivision

(1) ~~[on or before the 25th day of August].~~

(f) Except as provided by Subsection (c)(8) or (d)(3), previously [Previously] unpaid additional funds from prior fiscal years owed to a district shall be paid to the district together with the September payment of the current fiscal year entitlement.

No equivalent provision.

SECTION 20. Sections 42.2591(c) and (e), Education Code, are amended to read as follows:

(c) Payments from the foundation school fund to an open-enrollment charter school under this section shall be made as follows:

(1) 22 percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;

(2) 18 percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of October;

(3) 9.5 percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of November;

(4) four percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of December;

(5) four percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of January;

(6) four percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of February;

(7) four percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of March;

(8) 7.5 percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of April;

(9) five percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of May;

(10) seven percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of June;

(11) seven percent of the yearly entitlement of the school shall be paid in an installment to be made on or before the 25th day of July; and



SECTION 15. Section 42.302(a), Education Code, is amended.

SECTION 16. Chapter 42, Education Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. FINANCIAL  
HARDSHIP TRANSITION PROGRAM

Sec. 42.451. FINANCIAL HARDSHIP GRANTS. (a) From amounts appropriated for this subchapter, the commissioner may administer a grant program that provides grants to eligible school districts that have suffered financial hardship.

(b) A district seeking a grant under this subchapter must apply to the commissioner in the manner and within the time prescribed by the commissioner. A district may only submit one application each year.

(c) In awarding grants under this subchapter, the commissioner shall give priority to districts experiencing financial hardship as provided by Section 42.453.

(d) Funding provided to a district under this subchapter is in addition to all other funding provided under Chapter 41 and this chapter.

(e) The commissioner may obtain additional information as needed from a district or other state or local agency to make determinations in awarding grants under this subchapter.

Sec. 42.452. ELIGIBILITY. (a) A school district is eligible to receive a grant under this subchapter if the commissioner determines that the amount of the district's state and local maintenance and operations revenue per student in weighted average

(12) eight percent of the yearly entitlement of the school shall be paid in an installment to be made after the 5th day of September and not later than the 10th day of September of the calendar year following the calendar year of the payment made under Subdivision (1) [on or before the 25th day of August].

(e) Except as provided by Subsection (c)(12), previously [Previously] unpaid additional funds from prior fiscal years owed to an open-enrollment charter school shall be paid to the school together with the September payment of the current fiscal year entitlement.

SECTION 21. Same as introduced version.

SECTION 22. Chapter 42, Education Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. FINANCIAL  
HARDSHIP TRANSITION PROGRAM

Sec. 42.451. FINANCIAL HARDSHIP GRANTS. (a) From amounts appropriated for this subchapter, the commissioner may administer a grant program that provides grants to school districts to defray financial hardships resulting from changes made to Chapter 41 and this chapter that apply after the 2016-2017 school year.

(b) The commissioner shall award grants under this subchapter to districts as provided by Section 42.452.

(c) Funding provided to a district under this subchapter is in addition to all other funding provided under Chapter 41 and this chapter.

(d) The commissioner may obtain additional information as needed from a district or other state or local agency to make determinations in awarding grants under this subchapter.

No equivalent provision.

daily attendance for the school year for which the district applies for a grant is less than the amount of the district's state and local maintenance and operations revenue per student in weighted average daily attendance for the 2016-2017 school year.

(b) For purposes of making the determinations required by Subsection (a), the commissioner shall:

(1) use the greater of a district's adopted maintenance and operations tax rate for the 2016 tax year or the tax year for which the district applies for a grant;

(2) if a district has a compressed tax rate, as defined by Section 42.101, of less than \$1, include all additional tax effort available to the district in calculating its compressed tax rate under Section 42.101(a-1) for the 2016-2017 school year and the school year for which the district applies for a grant;

(3) exclude any decrease in property value attributable to a reduction in value under Chapter 313, Tax Code, or to any other reduction in value for which a district is held harmless; and

(4) for the school year for which the district applies for a grant, include any funds received by the district under Chapter 41 or this chapter that offset a loss in revenue, including:

(A) a reduction in the total amount required to be paid by a district for attendance credits under Section 41.0931; or

(B) an adjustment under Subchapter E.

(c) Based on the determinations made under Subsection (a), the commissioner shall calculate a district's loss of revenue per student in weighted average daily attendance and the percentage decline in funding between the 2016-2017 school year and the school year for which the district applies for a grant.

Sec. 42.453. PRIORITY FOR GRANTS. (a) The commissioner shall award grants by giving priority to school districts in the following order:

(1) first, to districts for which the loss of revenue is the result of the loss of state aid that would have been provided under former Section 42.2516, as that section existed on January 1, 2017;

(2) second, to districts for which the loss of revenue is a result of the changes made by .B. No. \_\_\_\_\_, Acts of the 85th Legislature.

No equivalent provision.

Regular Session, 2017; and

(3) third, to districts for which the loss of revenue is the result of other financial hardships described in the district's grant application.

(b) The commissioner shall rank each district's grant application according to the highest priority applicable to the district.

(c) In each priority category, the commissioner shall rank the application of the district with the greatest percentage decline in revenue first and the application of the district with the smallest percentage decline last.

Sec. 42.454. AWARD OF GRANTS; AMOUNT. (a) The commissioner shall award grants to school districts based on the priority category provided under Section 42.453 and the district's ranking in the priority category.

(b) Subject to Sections 42.455 and 42.456, the commissioner shall award each district a grant in an amount equal to the difference between the district's state and local maintenance and operations revenue per student in weighted average daily attendance for the 2016-2017 school year and the school year for which the grant is awarded, multiplied by the number of students in weighted average daily attendance during the school year for which the grant is awarded.

Sec. 42.455. LIMITATION ON GRANT AMOUNT. A school district may not receive a grant that exceeds the lesser of:

(1) the amount determined under Section 42.454(b); or

(2) the amount that would increase the district's revenue per student in weighted average daily attendance to an amount that is equal to 125 percent of the average state and local maintenance and operations revenue per student in weighted average daily attendance for the 2016-2017 school

Sec. 42.452. AWARD OF GRANTS; AMOUNT. (a) The commissioner shall award grants to school districts based on the following formula:

$HG = (PL - CL) \times (TR) \times (TAHG / TEHG)$

where:

"HG" is the amount of a district's hardship grant;

"PL" is the amount of funding under previous law to which a district would be entitled under Chapter 41 and this chapter as those chapters existed on January 1, 2017, determined using current school year data for the district;

"CL" is the amount of current law funding under Chapter 41 and this chapter to which a district is entitled;

"TR" is a district's maintenance and operations tax rate, as specified by the comptroller's most recent certified report;

"TAHG" is the total funding available for grants under Section 42.455 for a school year; and

"TEHG" is the sum of the combined amounts for all districts calculated by applying the formula  $(PL - CL) \times (TR)$  for each district.

(b) A school district's hardship grant awarded under this subchapter for a school year may not exceed the lesser of:

(1) the amount equal to 10 percent of the total amount of funds available for grants under this subchapter for that school year; or

(2) the amount by which "PL" exceeds "CL" for that district for that school year.

(c) For purposes of calculating the formula under Subsection (a), the commissioner shall:

(1) if the value of  $(PL - CL)$  for a school

year.

No equivalent provision.

No equivalent provision.

Sec. 42.456. FUNDING LIMIT. (a) The amount appropriated for grants under this subchapter may not exceed \$100 million in a school year. If the total amount of grants awarded for a school year exceeds the amount appropriated for purposes of this subchapter, the commissioner shall reduce each school district's grant proportionally. (b) Notwithstanding Section 42.455, a district may not receive a grant under this subchapter for a school year in an amount that is greater than 10 percent of the total amount of funds available under this subchapter for that year.

No equivalent provision.

district results in a negative number, use zero for the value of (PL-CL);  
(2) use a maintenance and operations tax rate ("TR") of \$1 for each open-enrollment charter school, each special-purpose school district established under Subchapter H, Chapter 11, and the South Texas Independent School District; and  
(3) if (TAHG/TEHG) equals a value greater than one, use a value of one for (TAHG/TEHG).  
(d) If funds remain available under this subchapter for a school year after determining initial grant amounts under Subsection (a), as adjusted to reflect the limits imposed by Subsection (b), the commissioner shall reapply the formula as necessary to award all available funds.

Sec. 42.453. ELIGIBILITY OF OPEN-ENROLLMENT CHARTER SCHOOL. An open-enrollment charter school is eligible for a grant under this subchapter in the same manner as a school district.

Sec. 42.454. REGIONAL EDUCATION SERVICE CENTERS AND COUNTY DEPARTMENTS OF EDUCATION NOT ELIGIBLE. A regional education service center or a county department of education is not eligible for a grant under this subchapter.

Sec. 42.455. FUNDING LIMIT. The amount of grants awarded by the commissioner under this subchapter may not exceed \$125 million, or a greater amount provided by appropriation, for the 2017-2018 school year or \$75 million, or a greater amount provided by appropriation, for the 2018-2019 school year.

Sec. 42.456. NO ADJUSTMENT BASED ON REVISED DATA. The commissioner may not adjust the amount of a school district's grant under this subchapter based on revisions to the district's data received after a grant has been awarded.

Sec. 42.457. RULES. The commissioner may adopt rules as necessary to administer this subchapter, including rules establishing eligibility criteria for a school district to receive a grant.

Sec. 42.458. DETERMINATION FINAL.

Sec. 42.459. EXPIRATION.

No equivalent provision.

SECTION 17. The following provisions of the Education Code are repealed:

- (1) Section 29.097(g);
- (2) Section 29.098(e);
- (3) Section 34.002(c);
- (4) Section 39.233;
- (5) Section 39.234;
- (6) Sections 41.002(e), (f), and (g);
- (7) Section 42.1541(c);
- (8) Section 42.155;
- (9) Section 42.160; and
- (10) Section 42.2513.

No equivalent provision.

SECTION 18. This Act takes effect

Sec. 42.457. RULES. The commissioner may adopt rules as necessary to administer this subchapter.

Sec. 42.458. DETERMINATION FINAL.

Sec. 42.459. EXPIRATION.

SECTION 23. Section 466.355(c), Government Code, as repealed by Chapter 431 (S.B. 559), Acts of the 83rd Legislature, Regular Session, 2013, and amended by Chapter 1410 (S.B. 758), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted and amended to read as follows:

(c) The [Each August the] comptroller shall:

- (1) estimate the amount to be transferred to the foundation school fund on or before September 15; and
- (2) notwithstanding Subsection (b)(4), transfer the amount estimated in Subdivision (1) to the foundation school fund before [August] installment payments are made under Section 42.259(c)(8) or (d)(3) ~~[42.259]~~, Education Code.

SECTION 24. Same as introduced version.

SECTION 25. The changes made by this Act to Sections 42.259 and 42.2591, Education Code, apply only to a payment from the foundation school fund that is made on or after September 1, 2018. A payment to a school district from the foundation school fund that is made before that date is governed by Sections 42.259 and 42.2591, Education Code, as those sections existed before amendment by this Act, and the former law is continued in effect for that purpose.

SECTION 26. Same as introduced version.

September 1, 2017.