

## **BILL ANALYSIS**

C.S.H.B. 2051  
By: Huberty  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties contend that it has been too long since the base amount of the new instructional facility allotment under the foundation school program has been updated and that current eligibility criteria are too narrow for available funding to be fully utilized. C.S.H.B. 2051 seeks to increase the allotment to address the increased costs to school districts of operating new facilities and to extend eligibility for additional types of facilities.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2051 amends the Education Code to increase from \$250 to \$1,000 the base amount of the new instructional facility allotment to which a public school district is entitled. The bill entitles a district that is entitled to receive allotment funding in the 2017-2018 school year for the second year of student attendance at a new instructional facility to the amount, for that year, provided for the second year of student attendance as a result of the changes in law made by the bill. The bill includes as facilities considered to be a new instructional facility for purposes of the allotment a newly constructed instructional facility, a repurposed instructional facility, and a leased facility operating for the first time as an instructional facility with a minimum lease term of not less than 10 years.

### **EFFECTIVE DATE**

September 1, 2017.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2051 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**

SECTION 1. Sections 42.158(b) and (d-1), Education Code, are amended to read as

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Sections 42.158(b), (d-1), and (g), Education Code, are amended to read as

85R 26009

17.114.1146

Substitute Document Number: 85R 22731

follows:

(b) For the first school year in which students attend a new instructional facility, a school district is entitled to an allotment of \$1,000 [~~\$250~~] for each student in average daily attendance at the facility. For the second school year in which students attend that instructional facility, a school district is entitled to an allotment of \$1,000 [~~\$250~~] for each additional student in average daily attendance at the facility.

(d-1) In addition to the appropriation amount described by Subsection (d), the amount of \$1 million may be appropriated each school year to supplement the allotment to which a school district is entitled under this section that may be provided using the appropriation amount described by Subsection (d). The commissioner shall first apply the funds appropriated under this subsection to prevent any reduction under Subsection (d) in the allotment for attendance at an eligible high school instructional facility, subject to the maximum amount of \$1,000 [~~\$250~~] for each student in average daily attendance. Any funds remaining after preventing all reductions in amounts due for high school instructional facilities may be applied proportionally to all other eligible instructional facilities, subject to the maximum amount of \$1,000 [~~\$250~~] for each student in average daily attendance.

SECTION 2. A school district that is entitled under Section 42.158, Education Code, to receive funding in the 2017-2018 school year for the second year of student attendance at a new instructional facility is entitled for that year to the amount provided for the second year of student attendance as a result of the changes in law made by this

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follows:

(b) For the first school year in which students attend a new instructional facility, a school district is entitled to an allotment of \$1,000 [~~\$250~~] for each student in average daily attendance at the facility. For the second school year in which students attend that instructional facility, a school district is entitled to an allotment of \$1,000 [~~\$250~~] for each additional student in average daily attendance at the facility.

(d-1) In addition to the appropriation amount described by Subsection (d), the amount of \$1 million may be appropriated each school year to supplement the allotment to which a school district is entitled under this section that may be provided using the appropriation amount described by Subsection (d). The commissioner shall first apply the funds appropriated under this subsection to prevent any reduction under Subsection (d) in the allotment for attendance at an eligible high school instructional facility, subject to the maximum amount of \$1,000 [~~\$250~~] for each student in average daily attendance. Any funds remaining after preventing all reductions in amounts due for high school instructional facilities may be applied proportionally to all other eligible instructional facilities, subject to the maximum amount of \$1,000 [~~\$250~~] for each student in average daily attendance.

(g) In this section:

(1) "Instructional [~~,"instructional]~~ facility" has the meaning assigned by Section 46.001.

(2) "New instructional facility" includes:

(A) a newly constructed instructional facility;

(B) a repurposed instructional facility; and

(C) a leased facility operating for the first time as an instructional facility with a minimum lease term of not less than 10 years.

SECTION 2. Same as introduced version.

17.114.1146

Act.

SECTION 3. This Act takes effect  
September 1, 2017.

SECTION 3. Same as introduced version.