

By: Ashby

H.B. No. 3531

A BILL TO BE ENTITLED

AN ACT

relating to state fiscal matters related to public education;
authorizing a fee.

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

ARTICLE 1. REDUCTION OF EXPENDITURES AND IMPOSITION OF FEES OR
CHARGES GENERALLY

SECTION 1.01. This article applies to the Texas Education Agency, the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, and the Teacher Retirement System of Texas.

SECTION 1.02. Notwithstanding any other statute of this state, each entity to which this article applies is authorized to reduce or recover expenditures by:

(1) consolidating any reports or publications the entity is required to make and filing or delivering any of those reports or publications exclusively by electronic means;

(2) extending the effective period of any license, permit, or registration the entity grants or administers;

(3) entering into a contract with another governmental entity or with a private vendor to carry out any of the entity's duties;

(4) modifying the services provided to and the eligibility requirements, including the procedures to determine eligibility, for persons who receive benefits under any federal or

1 state law the entity administers to ensure that those benefits are
2 received by the most deserving persons consistent with the purposes
3 for which the benefits are provided;

4 (5) providing that any communication between the
5 entity and another person and any document required to be delivered
6 to or by the entity, including any application, notice, billing
7 statement, receipt, or certificate, may be made or delivered by
8 e-mail or through the Internet; and

9 (6) adopting and collecting fees or charges to cover
10 any costs the entity incurs in performing its lawful functions.

11 ARTICLE 2. REDUCTION IN GENERAL APPROPRIATIONS ACT

12 SECTION 2.01. An employee of an entity described by Section
13 1.01 of this Act is not entitled to an amount from the state for
14 expenses, including office expenses or reimbursement of office
15 expenses, per diem, travel, or a salary or salary supplement that
16 exceeds the amount authorized for those purposes by the General
17 Appropriations Act.

18 ARTICLE 3. FISCAL MATTERS RELATED TO PUBLIC EDUCATION

19 SECTION 3.01. Section 21.4021(a), Education Code, is
20 amended to read as follows:

21 (a) Notwithstanding Section 21.401 and subject to Section
22 21.4022, the board of trustees of a school district may, in
23 accordance with district policy, implement a furlough program and
24 reduce the number of days of service otherwise required under
25 Section 21.401 by not more than seven [~~six~~] days of service during a
26 school year if the commissioner certifies in accordance with
27 Section 42.009 that the district will be provided with less state

1 and local funding for that year than was provided to the district
2 for the 2016-2017 [~~2010-2011~~] school year.

3 SECTION 3.02. Section 25.112(a), Education Code, is amended
4 to read as follows:

5 (a) Except as otherwise authorized by this section, a school
6 district may not enroll more than 22 students in [~~a~~] kindergarten,
7 first, second, third, and [~~or~~] fourth grade classes [~~class~~]. That
8 limitation does not apply during:

9 (1) any 12-week period of the school year selected by
10 the district, in the case of a district whose average daily
11 attendance is adjusted under Section 42.005(c); or

12 (2) the last 12 weeks of any school year in the case of
13 any other district.

14 SECTION 3.03. Section 42.009, Education Code, is amended to
15 read as follows:

16 Sec. 42.009. DETERMINATION OF FUNDING LEVELS. (a) Not
17 later than July 1 of each year, the commissioner shall determine for
18 each school district whether the estimated amount of state and
19 local funding per student in weighted average daily attendance to
20 be provided to the district under the Foundation School Program for
21 maintenance and operations for the following school year is less
22 than the amount provided to the district for the 2016-2017
23 [~~2010-2011~~] school year. If the amount estimated to be provided is
24 less, the commissioner shall certify the percentage decrease in
25 funding to be provided to the district.

26 (b) In making the determinations regarding funding levels
27 required by Subsection (a), the commissioner shall:

1 (1) make adjustments as necessary to reflect changes
2 in a school district's maintenance and operations tax rate;

3 (2) for a district required to take action under
4 Chapter 41 to reduce its wealth per student to the equalized wealth
5 level, base the determinations on the district's net funding levels
6 after deducting any amounts required to be expended by the district
7 to comply with Chapter 41; and

8 (3) determine a district's weighted average daily
9 attendance in accordance with this chapter as it existed on January
10 1, 2017 [~~2011~~].

11 SECTION 3.04. Section 21.402(c-1), Education Code, is
12 repealed.

13 SECTION 3.05. This article applies beginning with the
14 2017-2018 school year.

15 ARTICLE 4. FISCAL MATTERS CONCERNING RETIRED TEACHERS

16 SECTION 4.01. Section 825.404(b), Government Code, is
17 amended to read as follows:

18 (b) Before November 15 [~~2~~] of each even-numbered year, the
19 board of trustees, in coordination with the Legislative Budget
20 Board, shall certify to the comptroller of public accounts for
21 review and adoption an estimate of the amount necessary to pay the
22 state's contributions to the retirement system for the following
23 biennium. For qualifying employees under Subsection (a-1)(1), the
24 board of trustees shall include only the amount payable by the state
25 under Subsection (a-1)(1) in determining the amount to be
26 certified.

27 SECTION 4.02. Section 1575.202(a), Insurance Code, is

1 amended to read as follows:

2 (a) Each state fiscal year, the state shall contribute to
3 the fund an amount equal to 0.98 [~~one~~] percent of the salary of each
4 active employee.

5 SECTION 4.03. The changes in law made by this article apply
6 beginning with the state fiscal year that begins September 1, 2017.

7 ARTICLE 5. FISCAL MATTERS CONCERNING ADVANCED PLACEMENT

8 SECTION 5.01. (a) Section 28.053(i), Education Code, is
9 amended to read as follows:

10 (i) The commissioner shall analyze and adjust, as needed,
11 the sum of and number of awards to ensure that the purpose of the
12 program is realized and to account for any budgetary constraints.

13 (b) This section applies beginning with the 2017-2018
14 school year.

15 ARTICLE 6. EFFECTIVE DATE

16 SECTION 6.01. This Act takes effect immediately if it
17 receives a vote of two-thirds of all the members elected to each
18 house, as provided by Section 39, Article III, Texas Constitution.
19 If this Act does not receive the vote necessary for immediate
20 effect, this Act takes effect September 1, 2017.