

By: Biedermann

H.B. No. 3759

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a temporary exemption for a school district from the  
3 obligation to comply with certain unfunded state educational  
4 mandates.

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

6 SECTION 1. Subchapter A, Chapter 11, Education Code, is  
7 amended by adding Section 11.005 to read as follows:

8 Sec. 11.005. EXEMPTION FROM CERTAIN STATE EDUCATIONAL  
9 MANDATES. (a) In this section, "state educational mandate" means a  
10 statutory provision the implementation of which requires an  
11 expenditure by a school district that would not have been required  
12 in the absence of the statutory provision or a rule adopted under  
13 that provision.

14 (b) For the 2018-2019 and 2019-2020 school years, a school  
15 district is exempt from the following state educational mandates  
16 for which the legislature has not appropriated money estimated to  
17 be sufficient to meet the expenditure required by the mandate:

18 (1) the following provisions of the Education Code:

19 (A) Section 11.158(b)(7);

20 (B) Section 25.112;

21 (C) Section 28.002(c-1);

22 (D) Section 28.0021;

23 (E) Section 28.0023;

24 (F) Section 28.0024(c);

- 1                    (G) Section 28.004(k);
- 2                    (H) Section 28.006;
- 3                    (I) Section 28.009;
- 4                    (J) Section 28.016;
- 5                    (K) Section 28.0211;
- 6                    (L) Section 28.0212;
- 7                    (M) Section 28.02121;
- 8                    (N) Section 28.0213;
- 9                    (O) Section 28.0217;
- 10                   (P) Section 29.022;
- 11                   (Q) Subchapter D, Chapter 29;
- 12                   (R) Section 29.153(e);
- 13                   (S) Section 29.161(d);
- 14                   (T) Section 29.918;
- 15                   (U) Section 33.007;
- 16                   (V) Sections 38.014 and 38.0141;
- 17                   (W) Sections 38.101-38.103;
- 18                   (X) Section 39.025(b-1);
- 19                   (Y) Section 39.053(c)(4)(B)(ii)(b);
- 20                   (Z) Section 39.083(d)(1); and
- 21                   (AA) Section 42.156(b);

22                   (2) any state educational mandate enacted after  
23 January 1, 2017, in the Education Code for which the legislature has  
24 not appropriated sufficient money to meet the required expenditure  
25 by the school district;

26                   (3) the following provisions of the Health and Safety  
27 Code:

1                   (A) Sections 361.425 and 361.426; and

2                   (B) Sections 382.202 and 382.203; and

3                   (4) Section 1951.212, Occupations Code.

4                   (c) This section expires September 1, 2020.

5           SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2017.