

By: Watson

S.B. No. 353

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of revenue received as a result of the purchase
3 of attendance credits to supplement the basic allotment under the
4 public school finance system.

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

6 SECTION 1. Subchapter A, Chapter 41, Education Code, is
7 amended by adding Section 41.0012 to read as follows:

8 Sec. 41.0012. EXCLUSION OF CERTAIN REVENUE.

9 Notwithstanding Section 41.001(3), in making any determination
10 necessary for purposes of this chapter, the commissioner shall
11 exclude the portion of the basic allotment under Section 42.101
12 that is funded using revenue available to the state as a result of
13 attendance credits purchased under Subchapter D.

14 SECTION 2. Section 41.094(b), Education Code, is amended to
15 read as follows:

16 (b) Receipts shall be deposited in the state treasury and
17 may be used only to increase the basic allotment as provided by
18 Section 42.101(b-1) [~~for foundation school program purposes~~].

19 SECTION 3. Section 42.101, Education Code, is amended by
20 adding Subsection (b-1) to read as follows:

21 (b-1) The legislature shall determine the greatest initial
22 amount that can be provided for the basic allotment under
23 Subsection (b) without using revenue projected to be available to
24 the state as a result of attendance credits purchased under

1 Subchapter D, Chapter 41. The initial amount of the basic allotment
2 may not be less than the initial amount of the basic allotment for
3 the second year of the preceding state fiscal biennium. After
4 making the determination required by this subsection, the
5 legislature shall use all revenue projected to be available to the
6 state as a result of attendance credits purchased under Subchapter
7 D, Chapter 41, to increase the initial amount determined under this
8 subsection. The General Appropriations Act must specify the amount
9 by which the initial amount of the basic allotment was increased
10 using revenue projected to be available to the state as a result of
11 attendance credits purchased under Subchapter D, Chapter 41.

12 SECTION 4. The initial amount of the basic allotment to
13 which a school district is entitled for the 2018-2019 state fiscal
14 biennium, as provided by Section 42.101, Education Code, as amended
15 by this Act, may not be an amount that is less than the amount of the
16 basic allotment to which the school district is entitled for the
17 state fiscal year beginning September 1, 2016.

18 SECTION 5. This Act takes effect September 1, 2017.