

By: Taylor of Galveston  
(VanDeaver)

S.B. No. 1659

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the commissioner of education accepting contributions  
3 for the public school system, adopting rules regarding grant  
4 compliance, and establishing grants for high-quality educational  
5 programs.

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

7 SECTION 1. Section 7.055(b), Education Code, is amended by  
8 adding Subdivision (42) to read as follows:

9 (42) The commissioner may accept a gift, grant,  
10 donation, or other contribution on behalf of the public school  
11 system or agency and, unless otherwise specified by the donor, may  
12 use the contribution in the manner the commissioner determines.

13 SECTION 2. Subchapter C, Chapter 7, Education Code, is  
14 amended by adding Section 7.067 to read as follows:

15 Sec. 7.067. GRANT COMPLIANCE. (a) The commissioner may:

16 (1) adopt rules to ensure that recipients of  
17 state-funded grants administered by the commissioner or the agency  
18 are in compliance with grant requirements; and

19 (2) require a grant recipient to provide information  
20 to the agency detailing grant compliance.

21 (b) The commissioner may direct the agency to make a site  
22 visit to a grant recipient to review the recipient's compliance  
23 with grant requirements. A review conducted under this subsection  
24 is not subject to Section 7.028 or 39.056.

1 (c) If the commissioner finds that a grant recipient is not  
2 in compliance with grant requirements, the commissioner may:

3 (1) seek the remittance of the grant funds; and

4 (2) withhold funding authorized under Section 12.106  
5 or Chapter 42 or any other state funding in an amount sufficient to  
6 recover the grant funds provided to the recipient.

7 (d) A decision of the commissioner regarding grant  
8 compliance, including a decision to withhold funding under  
9 Subsection (c), is final and may not be appealed.

10 SECTION 3. Subchapter Z, Chapter 29, Education Code, is  
11 amended by adding Section 29.924 to read as follows:

12 Sec. 29.924. HIGH-QUALITY EDUCATIONAL PROGRAM GRANTS.

13 (a) The commissioner shall establish a competitive grant program  
14 to assist school districts and open-enrollment charter schools in  
15 implementing high-quality educational programs.

16 (b) The commissioner may adopt rules on the use of grant  
17 funds under this section, including rules determining eligibility,  
18 award amount, and any restrictions. The commissioner may authorize  
19 a grant recipient or a tax-exempt organization contracting with the  
20 grant recipient to use grant funds for the remodeling of current  
21 facilities and performance-based incentives.

22 (c) Grant funds awarded under this section may be used by a  
23 grant recipient only to implement a high-quality educational  
24 program or to enhance a current educational program in order for the  
25 program to operate as a high-quality educational program.

26 (d) In selecting grant recipients under this section, the  
27 commissioner must consider the availability of existing resources,

1 including funds and equipment, to students in the school district  
2 or open-enrollment charter school.

3 (e) The commissioner may make grants under this section  
4 using funds allocated for that purpose under Section 12.141(c)(1)  
5 and gifts, grants, and donations accepted by the commissioner. A  
6 decision of the commissioner concerning the amount of funds  
7 available for a grant is final and may not be appealed.

8 SECTION 4. The commissioner of education is required to  
9 implement this Act only if the legislature appropriates money  
10 specifically for that purpose. If the legislature does not  
11 appropriate money specifically for that purpose, the commissioner  
12 of education may, but is not required to, implement this Act using  
13 other appropriations available for the purpose.

14 SECTION 5. (a) Except as provided by Subsection (b) of  
15 this section, this Act takes effect September 1, 2017.

16 (b) This Act takes effect only if S.B. 1658, Acts of the 85th  
17 Legislature, Regular Session, 2017, is enacted and becomes law. If  
18 S.B. 1658 is not enacted or does not become law, this Act has no  
19 effect.