

Amend CSHB 3 (house committee report) as follows:

(1) Add the following appropriately numbered SECTION to Article 1 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION 1.____. Section 42.156, Education Code, is transferred to Subchapter C, Chapter 48, Education Code, as added by this Act, redesignated as Section 48.109, Education Code, and amended to read as follows:

Sec. 48.109 [~~42.156~~]. GIFTED AND TALENTED STUDENT ALLOTMENT. (a) For each identified student a school district serves in a program for gifted and talented students that the district certifies to the commissioner as complying with Subchapter D, Chapter 29, a district is entitled to an annual allotment equal to the [~~district's adjusted~~] basic allotment [~~as determined under Section 42.102 or Section 42.103, as applicable,~~] multiplied by .12 for each school year or a greater amount provided by appropriation.

(b) Funds allocated under this section, other than the amount that represents the program's share of general administrative costs, must be used in providing programs for gifted and talented students under Subchapter D, Chapter 29, including programs sanctioned by International Baccalaureate and Advanced Placement, or in developing programs for gifted and talented students. Each district must account for the expenditure of state funds as provided by rule of the State Board of Education. If by the end of the 12th month after receiving an allotment for developing a program a district has failed to implement a program, the district must refund the amount of the allotment to the agency within 30 days.

(c) Not more than five percent of a district's students in average daily attendance are eligible for funding under this section.

(d) Nothing in this section may be construed as:

(1) limiting the number of students that a school district may identify as gifted and talented or serve under the district's program for gifted and talented students; or

(2) prohibiting a school district from using other available funds for the district's program for gifted and talented

~~students. [If the amount of state funds for which school districts are eligible under this section exceeds the amount of state funds appropriated in any year for the programs, the commissioner shall reduce each district's tier one allotments in the same manner described for a reduction in allotments under Section 42.253.~~

~~[(e) If the total amount of funds allotted under this section before a date set by rule of the State Board of Education is less than the total amount appropriated for a school year, the commissioner shall transfer the remainder to any program for which an allotment under Section 42.152 may be used.~~

~~[(f) After each district has received allotted funds for this program, the State Board of Education may use up to \$500,000 of the funds allocated under this section for programs such as MATHCOUNTS, Future Problem Solving, Odyssey of the Mind, and Academic Decathlon, as long as these funds are used to train personnel and provide program services. To be eligible for funding under this subsection, a program must be determined by the State Board of Education to provide services that are effective and consistent with the state plan for gifted and talented education.]~~

(2) Strike "\$6,030" and substitute "\$5,993.82" in each of the following places it appears:

(A) page 24, line 7;

(B) page 24, line 9; and

(C) page 59, line 23.

(3) On page 59, line 10, strike "6,030" and substitute "\$5,993.82".

(4) Strike page 150, line 21, through page 151, line 11.

(5) On page 170, lines 20 and 21, strike "a gifted and talented program and".

(6) On page 170, line 22, strike "or 48.105" and substitute "48.105, or 48.109".

(7) On page 228, strike line 9 and renumber subsequent subdivisions accordingly.