

By: Huberty

H.C.R. No. 193

CONCURRENT RESOLUTION

1 WHEREAS, House Bill No. 3 has been adopted by the house of
2 representatives and the senate and is being prepared for
3 enrollment; and

4 WHEREAS, The bill contains technical errors that should be
5 corrected; now, therefore, be it

6 RESOLVED by the 86th Legislature of the State of Texas, That
7 the enrolling clerk of the house of representatives be instructed
8 to make the following corrections to the enrolled version of House
9 Bill No. 3:

10 (1) In the recital for SECTION 1.006 of the bill, strike "by
11 amending Subsections (c) and (e)" and substitute "by amending
12 Subsections (c), (e), and (i)".

13 (2) In SECTION 1.006 of the bill, following amended Section
14 44.004(e), Education Code, add the following:

15 (i) A school district that uses a certified estimate, as
16 authorized by Subsection (h), may adopt a budget at the public
17 meeting designated in the notice prepared using the estimate, but
18 the district may not adopt a tax rate before the district receives
19 the certified appraisal roll for the district required by Section
20 26.01(a), Tax Code. After receipt of the certified appraisal roll,
21 the district must publish a revised notice and hold another public
22 meeting before the district may adopt a tax rate that exceeds:

23 (1) the rate proposed in the notice prepared using the
24 estimate; or

1 (2) the district's voter-approval [~~rollback~~] rate
2 determined under Section 26.08, Tax Code, using the certified
3 appraisal roll.

4 (3) In SECTION 1.008 of the bill, in added Section
5 45.003(d-1), Education Code, strike "for the 2019 tax year exceeds
6 \$1.04" and substitute "excluding the district's current debt rate
7 under Section 26.08(n)(1)(C), Tax Code, for the 2019 tax year is
8 equal to or exceeds \$0.97".

9 (4) In SECTION 1.008 of the bill, in added Section
10 45.003(d-1), Education Code, between "rate" and the underlined
11 period, insert ", excluding the district's current debt rate under
12 Section 26.08(n)(1)(C), Tax Code".

13 (5) In SECTION 1.009 of the bill, in added Section
14 45.0032(d), Education Code, between "rollback tax rate" and "for",
15 insert ", excluding the district's current debt rate under Section
16 26.08(n)(1)(C), Tax Code,".

17 (6) In SECTION 1.038 of the bill, in transferred,
18 redesignated, and amended Section 48.202(a), Education Code, in
19 each place that it appears in Section 48.202(a), between [~~42.2521~~]
20 and the comma, insert "or by the quotient of the value of "DPV" as
21 determined under Section 48.256(d) if that subsection applies to
22 the district".

23 (7) In SECTION 1.063 of the bill, in added Section
24 26.08(a-1), Tax Code, between "flood," and "or", insert
25 "wildfire,".

26 (8) Strike SECTION 1.065 of the bill and substitute the
27 following:

1 SECTION 1.065. Effective January 1, 2020, Sections 26.08(d)
2 and (g), Tax Code, are amended to read as follows:

3 (d) If the proposition is not approved as provided by
4 Subsection (c), the governing body may not adopt a tax rate for the
5 school district for the current year that exceeds the school
6 district's voter-approval [~~rollback~~] tax rate.

7 (g) In a school district that received distributions from an
8 equalization tax imposed under former Chapter 18, Education Code,
9 the no-new-revenue [~~effective~~] rate of that tax as of the date of
10 the county unit system's abolition is added to the district's
11 voter-approval [~~rollback~~] tax rate.

12 (9) In SECTION 1A.005 of the bill, in transferred,
13 redesignated, and amended Section 48.051, Education Code,
14 immediately following Subsection (c), insert the following:

15 (d) In this section, "compensation" includes benefits such
16 as insurance premiums.

17 (10) In SECTION 1A.008 of the bill, in amended Section
18 26.08(n)(2)(B), Tax Code, strike "\$0.04" and substitute "\$0.05
19 [~~\$0.04~~]".

20 (11) Add the following appropriately numbered SECTIONS to
21 Article 3 of the bill and renumber the SECTIONS of that article
22 accordingly:

23 SECTION 3.____. Effective January 1, 2020, Section
24 45.105(e), Education Code, is amended to read as follows:

25 (e) The governing body of an independent school district
26 that governs a junior college district under Subchapter B, Chapter
27 130, in a county with a population of more than two million may

1 dedicate a specific percentage of the local tax levy to the use of
2 the junior college district for facilities and equipment or for the
3 maintenance and operating expenses of the junior college district.
4 To be effective, the dedication must be made by the governing body
5 on or before the date on which the governing body adopts its tax
6 rate for a year. The amount of local tax funds derived from the
7 percentage of the local tax levy dedicated to a junior college
8 district from a tax levy may not exceed the amount that would be
9 levied by five percent of the no-new-revenue [~~effective~~] tax rate
10 for the tax year calculated as provided by Section 26.04, Tax Code,
11 on all property taxable by the school district. All real property
12 purchased with these funds is the property of the school district,
13 but is subject to the exclusive control of the governing body of the
14 junior college district for as long as the junior college district
15 uses the property for educational purposes.

16 SECTION 3.____. Effective January 1, 2020, Section
17 45.261(e), Education Code, is amended to read as follows:

18 (e) Any part of a school district's tax rate attributable to
19 producing revenue for purposes of Subsection (c)(1) is considered
20 part of the district's:

21 (1) current debt rate for purposes of computing a
22 voter-approval [~~rollback~~] tax rate under Section 26.08, Tax Code;
23 and

24 (2) interest and sinking fund tax rate.

25 SECTION 3.____. Effective January 1, 2020, Sections
26 825.405(h) and (i), Government Code, are amended to read as
27 follows:

1 (h) This section does not apply to state contributions for
2 members employed by a school district in a school year if the
3 district's no-new-revenue [~~effective~~] tax rate for maintenance and
4 operation revenues for the tax year that ended in the preceding
5 school year equals or exceeds 125 percent of the statewide average
6 no-new-revenue [~~effective~~] tax rate for school district
7 maintenance and operation revenues for that tax year. For a tax
8 year, the statewide average no-new-revenue [~~effective~~] tax rate for
9 school district maintenance and operation revenues is the tax rate
10 that, if applied to the statewide total appraised value of taxable
11 property for every school district in the state determined under
12 Section 403.302, would produce an amount equal to the statewide
13 total amount of maintenance and operation taxes imposed in the tax
14 year for every school district in the state.

15 (i) Not later than the seventh day after the final date the
16 comptroller certifies to the commissioner of education changes to
17 the property value study conducted under Subchapter M, Chapter 403,
18 the comptroller shall certify to the Teacher Retirement System of
19 Texas:

20 (1) the no-new-revenue [~~effective~~] tax rate for school
21 district maintenance and operation revenues for each school
22 district in the state for the immediately preceding tax year; and

23 (2) the statewide average no-new-revenue [~~effective~~]
24 tax rate for school district maintenance and operation revenues for
25 the immediately preceding tax year.

26 (12) Strike "rollback" and substitute "voter-approval
27 [~~rollback~~]" in each place that it appears in the bill.

1 (13) Strike "rollback" and substitute "voter-approval" in
2 each place that it appears in the bill.

3 (14) In SECTION 5.002 of the bill, strike "rollback" and
4 substitute "voter-approval".