

Suspending limitations on conference committee  
jurisdiction, H.B. No. 3 (Huberty/Taylor)

By: Huberty

H.R. No. 2186

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, 86th Legislature, Regular Session, 2019, That House Rule 13,  
3 Section 9(a), be suspended in part as provided by House Rule 13,  
4 Section 9(f), to enable the conference committee appointed to  
5 resolve the differences on House Bill 3 (public school finance and  
6 public education; creating a criminal offense; authorizing the  
7 imposition of a fee) to consider and take action on the following  
8 matters:

9 (1) House Rule 13, Section 9(a)(1), is suspended to permit  
10 the committee to amend text not in disagreement in proposed SECTION  
11 1.004 of the bill, amending Section 25.084, Education Code, to read  
12 as follows:

13 SECTION 1.004. (a) Effective September 1, 2019, Section  
14 25.084(b), Education Code, is amended to read as follows:

15 (b) The operation of schools year-round by a district does  
16 not affect the amount of state funds to which the district is  
17 entitled under Chapter 48 [42].

18 (b) Effective September 1, 2020, Section 25.084, Education  
19 Code, is amended by amending Subsection (b) and adding Subsection  
20 (c) to read as follows:

21 Explanation: The change is necessary to delay the  
22 implementation of certain provisions of Section 25.084, Education  
23 Code.

24 (2) House Rule 13, Section 9(a)(3), is suspended to permit

1 the committee to add text on a matter not in disagreement in  
2 proposed SECTION 1.009 of the bill, in added Section 45.0032(e),  
3 Education Code, to read as follows:

4 (e) For the 2019 tax year, Section 48.202(f) applies to a  
5 district's maintenance and operations tax rate after adjusting the  
6 district's rate in accordance with this section. This subsection  
7 expires September 1, 2020.

8 Explanation: The addition is necessary to determine the  
9 application of Section 48.202(f), Education Code, to a school  
10 district's maintenance and operations tax rate for the 2019 tax  
11 year.

12 (3) House Rule 13, Section 9(a)(1), is suspended to permit  
13 the committee to amend text not in disagreement in proposed SECTION  
14 1.014 of the bill, adding Section 48.0051, Education Code, to read  
15 as follows:

16 SECTION 1.014. Effective September 1, 2020, Subchapter A,  
17 Chapter 48, Education Code, as added by this Act, is amended by  
18 adding Section 48.0051 to read as follows:

19 Explanation: The change is necessary to delay the  
20 implementation of Section 48.0051, Education Code.

21 (4) House Rule 13, Section 9(a)(3), is suspended to permit  
22 the committee to add text on a matter not in disagreement in SECTION  
23 1.014 of the bill, in added Section 48.0051, Education Code, to read  
24 as follows:

25 (f) A school district or open-enrollment charter school may  
26 use funding attributable to the incentive provided under this  
27 section to pay costs associated with providing academic instruction

1 in a voluntary summer program for students enrolled in the district  
2 or school.

3 Explanation: The addition is necessary to allow school  
4 districts and open-enrollment charter schools to use certain  
5 funding to pay costs associated with certain summer programs.

6 (5) House Rule 13, Section 9(a)(1), is suspended to permit  
7 the committee to amend text not in disagreement in proposed SECTION  
8 1.015 of the bill, in transferred, redesignated, and amended  
9 Sections 48.006(a) and (c), Education Code, to read as follows:

10 (a) The [~~From funds specifically appropriated for the~~  
11 ~~purpose or other funds available to the commissioner for that~~  
12 ~~purpose, the~~] commissioner may [~~shall~~] adjust the average daily  
13 attendance of a school district all or part of which is located in  
14 an area declared a disaster area by the governor under Chapter 418,  
15 Government Code, if the district experiences a decline in average  
16 daily attendance that is reasonably attributable to the impact of  
17 the disaster.

18 (c) The commissioner may [~~shall~~] make the adjustment under  
19 [~~required by~~] this section for the two-year period following the  
20 date of the governor's initial proclamation or executive order  
21 declaring the state of disaster.

22 Explanation: The changes are necessary to give the  
23 commissioner discretion in adjusting the average daily attendance  
24 of a school district located wholly or partly in a disaster area.

25 (6) House Rule 13, Section 9(a)(3), is suspended to permit  
26 the committee to add text on a matter not in disagreement in  
27 proposed SECTION 1.019 of the bill, in added Sections 48.011(a-1),

1 (b), and (d), Education Code, to read as follows:

2 (a-1) The commissioner may modify dates relating to the  
3 adoption of a school district's maintenance and operations tax rate  
4 and, if applicable, an election required for the district to adopt  
5 that rate as necessary to implement the changes made by H.B. 3, 86th  
6 Legislature, Regular Session, 2019.

7 (b) Before making an adjustment under Subsection (a) or  
8 (a-1), the commissioner shall notify and must receive approval from  
9 the Legislative Budget Board and the office of the governor.

10 (d) Beginning with the 2021-2022 school year, the  
11 commissioner may not make an adjustment under Subsection (a) or  
12 (a-1).

13 Explanation: The addition is necessary to permit the  
14 commissioner to modify dates relating to a school district's  
15 maintenance and operations tax rate after receiving approval from  
16 the Legislative Budget Board and the office of the governor until  
17 the beginning of the 2021-2022 school year.

18 (7) House Rule 13, Section 9(a)(3), is suspended to permit  
19 the committee to add text on a matter not in disagreement in  
20 proposed SECTION 1.021 of the bill, in transferred, redesignated,  
21 and amended Section 48.051, Education Code, to read as follows:

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

24 Explanation: The addition is necessary to include benefits in  
25 the definition of "compensation."

26 (8) House Rule 13, Section 9(a)(3), is suspended to permit  
27 the committee to add text on a matter not in disagreement in

1 proposed SECTION 1.024 of the bill, in added Section 48.101,  
2 Education Code, to read as follows:

3 (d) Instead of the allotment under Subsection (b) or (c)(1),  
4 a school district that has fewer than 300 students in average daily  
5 attendance and is the only school district located in and operating  
6 in a county is entitled to an annual allotment for each student in  
7 average daily attendance based on the following formula:

8 
$$\underline{AA = ((1,600 - ADA) \times .00047) \times BA}$$

9 Explanation: The addition is necessary to provide an  
10 allotment for school districts with fewer than 300 students in  
11 average daily attendance that are the only district located in and  
12 operating in a county.

13 (9) House Rule 13, Section 9(a)(1), is suspended to permit  
14 the committee to amend text not in disagreement in proposed SECTION  
15 1.025 of the bill, in transferred, redesignated, and amended  
16 Section 48.102(h), Education Code, to read as follows:

17 (h) At least 55 percent of the funds [~~Funds~~] allocated under  
18 this section[~~, other than an indirect cost allotment established~~  
19 ~~under State Board of Education rule,~~] must be used in the special  
20 education program under Subchapter A, Chapter 29.

21 Explanation: The change is necessary to require a certain  
22 percentage of funding provided by the special education allotment  
23 to be used for a special education program under Subchapter A,  
24 Chapter 29, Education Code.

25 (10) House Rule 13, Section 9(a)(4), is suspended to permit  
26 the committee to add text on a matter not included in either the  
27 house or senate version of the bill by adding the following new

1 language to proposed SECTION 1.031 of the bill:

2 Sec. 48.1101. STUDY ON ALTERNATIVE CAREER READINESS  
3 MEASURES FOR SMALL AND RURAL DISTRICTS. (a) The agency shall  
4 conduct a study on alternative career readiness measures for small  
5 and rural school districts to determine if annual graduates  
6 demonstrate career readiness under Section 48.110(f)(2)(B).

7 (b) Not later than January 1, 2021, the agency shall submit  
8 to the legislature a report on the results of the study and any  
9 recommendations for legislative or other action.

10 (c) This section expires September 1, 2021.

11 Explanation: The addition is necessary to require a study on  
12 alternative career readiness measures for small and rural school  
13 districts to determine if annual graduates demonstrate career  
14 readiness.

15 (11) House Rule 13, Section 9(a)(3), is suspended to permit  
16 the committee to add text on a matter not in disagreement in  
17 proposed SECTION 1.031 of the bill, in added Section 48.112(g),  
18 Education Code, to read as follows:

19 (g) A district is entitled to receive an increased allotment  
20 under this section in the amount necessary for reimbursement for  
21 any fees paid under Section 21.3521.

22 Explanation: The addition is necessary to permit a school  
23 district to receive an allotment in an amount necessary for  
24 reimbursement for fees paid under Section 21.3521, Education Code.

25 (12) House Rule 13, Section 9(a)(3), is suspended to permit  
26 the committee to add text on a matter not in disagreement in  
27 proposed SECTION 1.038 of the bill, in transferred, redesignated,

1 and amended Section 48.202, Education Code, to read as follows:

2 (f-1) Notwithstanding Subsection (f), for the 2019-2020  
3 school year, the reduction of a school district's tax rate required  
4 under Subsection (f) applies to the district's total enrichment tax  
5 rate under Section 45.0032(b) minus eight cents. This subsection  
6 expires September 1, 2020.

7 Explanation: The addition is necessary to determine the  
8 portion of a school district's enrichment tax rate to which the  
9 reduction required under Section 48.202(f-1), Education Code,  
10 applies for the 2019-2020 school year.

11 (13) House Rule 13, Section 9(a)(3), is suspended to permit  
12 the committee to add text on a matter not in disagreement in  
13 proposed SECTION 1.040 of the bill, in transferred, redesignated  
14 and amended Section 48.256, Education Code, to read as follows:

15 (d) This subsection applies to a school district in which  
16 the board of trustees entered into a written agreement with a  
17 property owner under Section 313.027, Tax Code, for the  
18 implementation of a limitation on appraised value under Subchapter  
19 B or C, Chapter 313, Tax Code. For purposes of determining "DPV"  
20 under Subsection (a) for a school district to which this subsection  
21 applies, the commissioner shall exclude a portion of the market  
22 value of property not otherwise fully taxable by the district under  
23 Subchapter B or C, Chapter 313, Tax Code, before the expiration of  
24 the subchapter. The comptroller shall provide information to the  
25 agency necessary for this subsection. A revenue protection payment  
26 required as part of an agreement for a limitation on appraised value  
27 shall be based on the district's taxable value of property for the

1 preceding tax year.

2 (e) Subsection (d) does not apply to property that was the  
3 subject of an application under Subchapter B or C, Chapter 313, Tax  
4 Code, made after May 1, 2009, that the comptroller recommended  
5 should be disapproved. [A school district must raise its total  
6 local share of the Foundation School Program to be eligible to  
7 receive foundation school fund payments.]

8 Explanation: The addition is necessary to determine "DPV"  
9 for a school district that has entered into an agreement for the  
10 implementation of a limitation on appraised value under Subchapter  
11 B or C, Chapter 313, Tax Code.

12 (14) House Rule 13, Section 9(a)(1), is suspended to permit  
13 the committee to amend text not in disagreement in proposed SECTION  
14 1.041 of the bill, in added Sections 48.257(a) and (b), Education  
15 Code, to read as follows:

16 (a) Subject to Subsection (b), if a school district's tier  
17 one local share under Section 48.256 exceeds the district's  
18 entitlement under Section 48.266(a)(1) less the district's  
19 distribution from the state available school fund, the district  
20 must reduce the district's tier one revenue level in accordance  
21 with Chapter 49 to a level not to exceed the district's entitlement  
22 under Section 48.266(a)(1) less the district's distribution from  
23 the state available school fund.

24 (b) This subsection applies only to a school district to  
25 which Subsection (a) applies. If a district's maintenance and  
26 operations tax collections from the tax rate described by Section  
27 45.0032(a) for the current tax year minus the required reduction in

1 a district's tier one revenue level under Subsection (a) results in  
2 an amount that is less than the amount of the district's entitlement  
3 under Section 48.266(a)(1) less the district's distribution from  
4 the state available school fund, the agency shall adjust the amount  
5 of the reduction required in the district's tier one revenue level  
6 under Subsection (a) up to the amount of local funds necessary for  
7 the district's entitlement under Section 48.266(a)(1) less the  
8 district's distribution from the state available school fund.

9       Explanation: The change is necessary to determine the amount  
10 by which a school district is required to reduce the district's  
11 local revenue level under Section 48.257(a), Education Code, to a  
12 level not to exceed the district's entitlement less the district's  
13 distribution from the state available school fund.

14       (15) House Rule 13, Section 9(a)(4), is suspended to permit  
15 the committee to add text on a matter not included in either the  
16 house or senate version of the bill by adding the following new  
17 SECTION to proposed ARTICLE 1 of the bill:

18       SECTION 1.046. Subchapter G, Chapter 48, Education Code, as  
19 added by this Act, is amended by adding Section 48.302 to read as  
20 follows:

21       Sec. 48.302. SUBSIDY FOR HIGH SCHOOL EQUIVALENCY  
22 EXAMINATION FOR CERTAIN INDIVIDUALS. (a) In this section,  
23 "commission" means the Texas Workforce Commission.

24       (b) The agency shall enter into a memorandum of  
25 understanding with the commission for the agency to transfer to the  
26 commission funds specifically appropriated to the agency for the  
27 commission to provide to an individual who is 21 years of age or

1 older a subsidy in an amount equal to the cost of taking one high  
2 school equivalency examination administered under Section 7.111.

3 (c) The commission shall adopt rules to implement the  
4 subsidy program described by Subsection (b), including rules  
5 regarding eligibility requirements.

6 Explanation: The addition is necessary to provide for a  
7 subsidy for certain individuals to take a high school equivalency  
8 examination.

9 (16) House Rule 13, Section 9(a)(4), is suspended to permit  
10 the committee to add text on a matter not included in either the  
11 house or senate version of the bill by adding proposed SECTION 1.061  
12 to the bill, amending Section 403.302(d), Government Code, to read  
13 as follows:

14 SECTION 1.061. Section 403.302(d), Government Code, is  
15 amended to read as follows:

16 (d) For the purposes of this section, "taxable value" means  
17 the market value of all taxable property less:

18 (1) the total dollar amount of any residence homestead  
19 exemptions lawfully granted under Section 11.13(b) or (c), Tax  
20 Code, in the year that is the subject of the study for each school  
21 district;

22 (2) one-half of the total dollar amount of any  
23 residence homestead exemptions granted under Section 11.13(n), Tax  
24 Code, in the year that is the subject of the study for each school  
25 district;

26 (3) the total dollar amount of any exemptions granted  
27 before May 31, 1993, within a reinvestment zone under agreements

1 authorized by Chapter 312, Tax Code;

2 (4) subject to Subsection (e), the total dollar amount  
3 of any captured appraised value of property that:

4 (A) is within a reinvestment zone created on or  
5 before May 31, 1999, or is proposed to be included within the  
6 boundaries of a reinvestment zone as the boundaries of the zone and  
7 the proposed portion of tax increment paid into the tax increment  
8 fund by a school district are described in a written notification  
9 provided by the municipality or the board of directors of the zone  
10 to the governing bodies of the other taxing units in the manner  
11 provided by former Section 311.003(e), Tax Code, before May 31,  
12 1999, and within the boundaries of the zone as those boundaries  
13 existed on September 1, 1999, including subsequent improvements to  
14 the property regardless of when made;

15 (B) generates taxes paid into a tax increment  
16 fund created under Chapter 311, Tax Code, under a reinvestment zone  
17 financing plan approved under Section 311.011(d), Tax Code, on or  
18 before September 1, 1999; and

19 (C) is eligible for tax increment financing under  
20 Chapter 311, Tax Code;

21 (5) the total dollar amount of any captured appraised  
22 value of property that:

23 (A) is within a reinvestment zone:

24 (i) created on or before December 31, 2008,  
25 by a municipality with a population of less than 18,000; and

26 (ii) the project plan for which includes  
27 the alteration, remodeling, repair, or reconstruction of a

1 structure that is included on the National Register of Historic  
2 Places and requires that a portion of the tax increment of the zone  
3 be used for the improvement or construction of related facilities  
4 or for affordable housing;

5 (B) generates school district taxes that are paid  
6 into a tax increment fund created under Chapter 311, Tax Code; and

7 (C) is eligible for tax increment financing under  
8 Chapter 311, Tax Code;

9 (6) the total dollar amount of any exemptions granted  
10 under Section 11.251 or 11.253, Tax Code;

11 (7) the difference between the comptroller's estimate  
12 of the market value and the productivity value of land that  
13 qualifies for appraisal on the basis of its productive capacity,  
14 except that the productivity value estimated by the comptroller may  
15 not exceed the fair market value of the land;

16 (8) the portion of the appraised value of residence  
17 homesteads of individuals who receive a tax limitation under  
18 Section 11.26, Tax Code, on which school district taxes are not  
19 imposed in the year that is the subject of the study, calculated as  
20 if the residence homesteads were appraised at the full value  
21 required by law;

22 (9) a portion of the market value of property not  
23 otherwise fully taxable by the district at market value because  
24 of [+

25 [~~(A)~~] action required by statute or the  
26 constitution of this state, other than Section 11.311, Tax Code,  
27 that, if the tax rate adopted by the district is applied to it,

1 produces an amount equal to the difference between the tax that the  
2 district would have imposed on the property if the property were  
3 fully taxable at market value and the tax that the district is  
4 actually authorized to impose on the property, if this subsection  
5 does not otherwise require that portion to be deducted; [~~or~~

6  ~~[(B) action taken by the district under~~  
7  ~~Subchapter B or C, Chapter 313, Tax Code, before the expiration of~~  
8  ~~the subchapter;]~~

9 (10) the market value of all tangible personal  
10 property, other than manufactured homes, owned by a family or  
11 individual and not held or used for the production of income;

12 (11) the appraised value of property the collection of  
13 delinquent taxes on which is deferred under Section 33.06, Tax  
14 Code;

15 (12) the portion of the appraised value of property  
16 the collection of delinquent taxes on which is deferred under  
17 Section 33.065, Tax Code; and

18 (13) the amount by which the market value of a  
19 residence homestead to which Section 23.23, Tax Code, applies  
20 exceeds the appraised value of that property as calculated under  
21 that section.

22 Explanation: The addition is necessary to remove from the  
23 definition of "taxable value" a portion of the market value of  
24 certain property.

25 (17) House Rule 13, Section 9(a)(4), is suspended to permit  
26 the committee to add text on a matter not included in either the  
27 house or senate version of the bill by adding proposed SECTION

1 1A.001 to the bill, amending Section 13.054, Education Code, to  
2 read as follows:

3 SECTION 1A.001. Effective September 1, 2020, Section  
4 13.054, Education Code, is amended by amending Subsection (f) and  
5 adding Subsection (f-1) to read as follows:

6 (f) For five years beginning with the school year in which  
7 the annexation occurs, a school district shall receive additional  
8 funding under this subsection or Subsection (h). The amount of  
9 funding shall be determined by multiplying the lesser of the  
10 enlarged district's local fund assignment computed under Section  
11 48.256 [~~42.252~~] or the enlarged district's total cost of tier one by  
12 a fraction, the numerator of which is the number of students  
13 residing in the territory annexed to the receiving district  
14 preceding the date of the annexation and the denominator of which is  
15 the number of students residing in the district as enlarged on the  
16 date of the annexation, and multiplying the resulting product by  
17 the quotient of the enlarged district's maximum compressed tax  
18 rate, as determined under Section 48.2551, for the current school  
19 year divided by the receiving district's maximum compressed tax  
20 rate, as determined under Section 48.2551, for the year in which the  
21 annexation occurred.

22 (f-1) Notwithstanding Subsection (f), for an annexation  
23 that occurred before September 1, 2019, for five years beginning  
24 with the school year in which the annexation occurs, a school  
25 district shall receive additional funding under this subsection or  
26 Subsection (h). The amount of funding shall be determined by  
27 multiplying the lesser of the enlarged district's local fund

1 assignment computed under Section 48.256 or the enlarged district's  
2 total cost of tier one by a fraction, the numerator of which is the  
3 number of students residing in the territory annexed to the  
4 receiving district preceding the date of the annexation and the  
5 denominator of which is the number of students residing in the  
6 district as enlarged on the date of the annexation, and dividing the  
7 receiving district's maximum compressed tax rate, as determined  
8 under Section 48.2551. This subsection expires September 1, 2021.

9 Explanation: The addition is necessary to determine an  
10 additional amount of funding to which a district to which territory  
11 is annexed under Section 13.054, Education Code, is entitled  
12 beginning September 1, 2020.

13 (18) House Rule 13, Section 9(a)(4), is suspended to permit  
14 the committee to add text on a matter not included in either the  
15 house or senate version of the bill by adding the following new  
16 language to SECTION 1A.007 of the bill:

17 Sec. 48.2554. STUDY ON DISTRICT PROPERTY TAX COMPRESSION.

18 (a) The Legislative Budget Board, in conjunction with other  
19 appropriate state agencies, shall study possible methods of  
20 providing property tax relief through the reduction of school  
21 district maintenance and operations taxes. The study must  
22 evaluate:

23 (1) potential sources of revenue that may be used to  
24 reduce school district maintenance and operations taxes;

25 (2) methods of limiting increases in maintenance and  
26 operations tax revenue that adjust for enrollment growth,  
27 inflation, and other relevant factors; and

1           (3) for each method of providing property tax relief  
2 considered:

3           (A) any difference in anticipated benefits to  
4 property taxpayers based on the school district in which the  
5 taxpayer resides;

6           (B) the cost to the state; and

7           (C) the anticipated impact on equity in the  
8 public school finance system.

9           (b) Not later than September 1, 2020, the Legislative Budget  
10 Board shall submit to the governor, the lieutenant governor, and  
11 the speaker of the house of representatives a report on the results  
12 of the study and any recommendations for legislative or other  
13 action.

14           (c) This section expires September 1, 2021.

15           Explanation: The addition is necessary to require a study on  
16 methods of providing property tax relief through the reduction of  
17 school district maintenance and operations taxes.

18           (19) House Rule 13, Section 9(a)(4), is suspended to permit  
19 the committee to add text on a matter not included in either the  
20 house or senate version of the bill by adding proposed SECTION 2.005  
21 to the bill, adding Section 21.048(a-2), Education Code, to read as  
22 follows:

23           SECTION 2.005. Section 21.048, Education Code, is amended  
24 by adding Subsection (a-2) to read as follows:

25           (a-2) The board shall adopt rules that provide that in order  
26 to teach any grade level from prekindergarten through grade six a  
27 person must demonstrate proficiency in the science of teaching

1 reading on a certification examination for each class of  
2 certificate issued by the board after January 1, 2021.

3 Explanation: The addition is necessary to require the State  
4 Board for Educator Certification to adopt rules requiring certain  
5 teachers to demonstrate proficiency in the science of teaching  
6 reading on a certification examination.

7 (20) House Rule 13, Section 9(a)(4), is suspended to permit  
8 the committee to add text on a matter not included in either the  
9 house or senate version of the bill by adding proposed SECTION 2.008  
10 to the bill, adding Section 21.3521, Education Code, to read as  
11 follows:

12 SECTION 2.008. Subchapter H, Chapter 21, Education Code, is  
13 amended by adding Section 21.3521 to read as follows:

14 Sec. 21.3521. LOCAL OPTIONAL TEACHER DESIGNATION SYSTEM.

15 (a) Subject to Subsection (b), a school district or open-enrollment  
16 charter school may designate a certified classroom teacher as a  
17 master, exemplary, or recognized teacher for a five-year period  
18 based on the results from single year or multiyear appraisals that  
19 comply with Section 21.351 or 21.352.

20 (b) The commissioner shall establish performance and  
21 validity standards for each local optional teacher designation  
22 system. The performance standards:

23 (1) must provide a mathematical possibility that all  
24 teachers eligible for a designation may earn the designation; and

25 (2) may not require a district to use an assessment  
26 instrument adopted under Section 39.023 to evaluate teacher  
27 performance.

1       (c) Notwithstanding performance standards established  
2 under Subsection (b), a classroom teacher that holds a National  
3 Board Certification issued by the National Board for Professional  
4 Teaching Standards may be designated as recognized.

5       (d) The commissioner shall:

6           (1) ensure that local optional teacher designation  
7 systems:

8                   (A) meet the requirements of this section; and

9                   (B) prioritize high needs campuses; and

10           (2) enter into a memorandum of understanding with  
11 Texas Tech University to monitor the quality and fairness of local  
12 optional teacher designation systems.

13       (e) The agency shall develop and provide technical  
14 assistance for school districts and open-enrollment charter  
15 schools that request assistance in implementing a local optional  
16 teacher designation system, including assistance in prioritizing  
17 high needs campuses.

18       (f) A teacher has no vested property right in a teacher  
19 designation assigned to the teacher under this section. A teacher  
20 designation issued under this section is void in the determination  
21 that the designation was issued improperly. Subchapters C through  
22 H, Chapter 2001, Government Code, do not apply to the voiding of a  
23 teacher designation under this subsection.

24       (g) The agency shall periodically conduct evaluations of  
25 the effectiveness of the local optional teacher designation systems  
26 under this section and the teacher incentive allotment under  
27 Section 48.112 and report the results of the evaluations to the

1 legislature. A school district or open-enrollment charter school  
2 that has implemented a local optional teacher designation system or  
3 received funds under the teacher incentive allotment shall  
4 participate in the evaluations.

5 (h) The agency shall collect information necessary to  
6 implement this section. Information otherwise confidential remains  
7 confidential and is not subject to Chapter 552, Government Code.

8 (i) The commissioner may adopt fees to implement this  
9 section. A fee adopted by the agency under this section is not  
10 subject to Sections 2001.0045 and 2001.0221, Government Code.

11 (j) The commissioner may adopt rules to implement this  
12 section. A decision made by the commissioner under this section is  
13 final and may not be appealed.

14 Explanation: The addition is necessary to permit school  
15 districts and open-enrollment charter schools to develop local  
16 optional teacher designation systems.

17 (21) House Rule 13, Section 9(a)(1), is suspended to permit  
18 the committee to amend text not in disagreement in proposed SECTION  
19 2.011 of the bill, adding Section 25.085(i), Education Code, to  
20 read as follows:

21 SECTION 2.011. Effective September 1, 2020, Section 25.085,  
22 Education Code, is amended by adding Subsection (i) to read as  
23 follows:

24 Explanation: The change is necessary to delay the  
25 implementation of Section 25.085(i), Education Code.

26 (22) House Rule 13, Section 9(a)(4), is suspended to permit  
27 the committee to add text on a matter not included in either the

1 house or senate version of the bill by adding the following new  
2 SECTION to proposed ARTICLE 2 of the bill:

3 SECTION 2.013. Subchapter A, Chapter 28, Education Code, is  
4 amended by adding Section 28.0062 to read as follows:

5 Sec. 28.0062. READING STANDARDS FOR KINDERGARTEN THROUGH  
6 THIRD GRADE. (a) Each school district and open-enrollment charter  
7 school shall:

8 (1) provide for the use of a phonics curriculum that  
9 uses systematic direct instruction in kindergarten through third  
10 grade to ensure all students obtain necessary early literacy  
11 skills;

12 (2) ensure that:

13 (A) not later than the 2021-2022 school year,  
14 each classroom teacher in kindergarten or first, second, or third  
15 grade and each principal at a campus with kindergarten or first,  
16 second, or third grade has attended a teacher literacy achievement  
17 academy developed under Section 21.4552; and

18 (B) each classroom teacher and each principal  
19 initially employed in a grade level or at a campus described by  
20 Paragraph (A) for the 2021-2022 school year or a subsequent school  
21 year has attended a teacher literacy achievement academy developed  
22 under Section 21.4552 before the teacher's or principal's first  
23 year of placement in that grade level or campus; and

24 (3) certify to the agency that the district or school:

25 (A) prioritizes placement of highly effective  
26 teachers in kindergarten through second grade; and

27 (B) has integrated reading instruments used to

1 diagnose reading development and comprehension to support each  
2 student in prekindergarten through third grade.

3 (b) The agency shall provide assistance to school districts  
4 and open-enrollment charter schools in complying with the  
5 requirements under this section.

6 (c) The agency shall:

7 (1) monitor the implementation of this section; and

8 (2) periodically report to the legislature on the  
9 implementation of this section and the effectiveness of this  
10 section in improving educational outcomes.

11 (d) The commissioner shall establish an advisory board to  
12 assist the agency in fulfilling the agency's duties under this  
13 section. Chapter 2110, Government Code, does not apply to the  
14 advisory board.

15 (e) The commissioner may adopt rules to implement this  
16 section.

17 Explanation: The addition is necessary to provide reading  
18 standards for kindergarten through third grade.

19 (23) House Rule 13, Section 9(a)(4), is suspended to permit  
20 the committee to add text on a matter not included in either the  
21 house or senate version of the bill in proposed SECTION 4.001 of the  
22 bill by repealing Section 403.302(m), Government Code.

23 Explanation: The addition is necessary to repeal Section  
24 403.302(m), Government Code, which is no longer necessary with the  
25 addition of Section 48.256(e), Education Code.

26 (24) House Rule 13, Section 9(a)(3), is suspended to permit  
27 the committee to add text on a matter not in disagreement in

1 proposed SECTION 5.002 of the bill, in the transition language, to  
2 read as follows:

3 SECTION 5.002. Except as otherwise provided by this Act,  
4 Section 26.08, Tax Code, as amended by this Act, applies beginning  
5 with the 2019 tax year. A school district is required to calculate  
6 the district's rollback tax rate for the 2019 tax year in the manner  
7 provided by Section 26.08, Tax Code, as amended by this Act,  
8 regardless of whether the district has already calculated that rate  
9 or adopted a tax rate for the 2019 tax year before September 1,  
10 2019.

11 Explanation: The addition is necessary to ensure a school  
12 district calculates the district's rollback tax rate for the 2019  
13 tax year in accordance with Section 26.08, Tax Code, as amended by  
14 this bill.