

By: Bettencourt, et al.

S.B. No. 91

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a temporary reduction in the maximum compressed tax
3 rate of a school district and the form of the ballot proposition to
4 be used in an election to approve a tax rate adopted by a school
5 district that exceeds the district's voter-approval tax rate;
6 making an appropriation.

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

8 SECTION 1. Subchapter F, Chapter 48, Education Code, is
9 amended by adding Section 48.2555 to read as follows:

10 Sec. 48.2555. MAXIMUM COMPRESSED TAX RATE FOR 2022-2023
11 SCHOOL YEAR. (a) Notwithstanding any other provision of this title
12 or Chapter 26, Tax Code, for the 2022-2023 school year, the
13 commissioner shall calculate the value of a school district's
14 maximum compressed tax rate by determining the district's maximum
15 compressed rate under Section 48.2551 or 48.2552(b), if applicable,
16 and reducing the tax rate determined under the applicable section
17 by the amount by which the commissioner may reduce each district's
18 maximum compressed tax rate by an equal amount using funds
19 appropriated for the purpose of reducing each district's maximum
20 compressed tax rate under this section.

21 (b) If a school district's maximum compressed tax rate as
22 calculated under Subsection (a) would be less than 90 percent of
23 another school district's maximum compressed tax rate under
24 Subsection (a), the district's maximum compressed tax rate is the

1 value at which the district's maximum compressed tax rate would be
2 equal to 90 percent of the other district's maximum compressed tax
3 rate.

4 (c) Notwithstanding any other provision of this title or
5 Chapter 26, Tax Code, for purposes of determining funding for
6 school districts for the 2022-2023 school year, a reference in any
7 of the following provisions of law to a school district's maximum
8 compressed tax rate or maximum compressed rate as determined under
9 Section 48.2551 means the maximum compressed tax rate determined
10 for the district under this section:

11 (1) Sections 13.054(f) and (f-1);

12 (2) Section 45.003(d);

13 (3) Section 45.0032(a);

14 (4) Section 48.051(a);

15 (5) Sections 48.2553(a) and (e); and

16 (6) Section 26.08(n), Tax Code.

17 (d) For purposes of Section 30.003(f-1), a reference in that
18 section to Section 48.2551 includes this section.

19 (e) Notwithstanding any other provision of this title, for
20 purposes of determining a school district's maximum compressed tax
21 rate under Section 48.2551 for the 2023-2024 school year, the
22 commissioner shall exclude the reduction in the district's maximum
23 compressed tax rate under this section for the preceding school
24 year from the value of the district's "PYMCR."

25 (f) This section expires September 1, 2024.

26 SECTION 2. Effective January 1, 2022, Section 26.08(b), Tax
27 Code, is amended to read as follows:

1 (b) The governing body shall order that the election be held
2 in the school district on the next uniform election date prescribed
3 by Section 41.001, Election Code, that occurs after the date of the
4 election order and that allows sufficient time to comply with the
5 requirements of other law. At the election, the ballots shall be
6 prepared to permit voting for or against the
7 proposition: "Ratifying the ad valorem tax rate of ____ (insert
8 adopted tax rate) in (name of school district) for the current year,
9 a rate that will result in an increase of _____ (insert percentage
10 increase in maintenance and operations tax revenue under the
11 adopted tax rate as compared to maintenance and operations tax
12 revenue in the preceding tax year) percent in maintenance and
13 operations tax revenue for the district for the current year as
14 compared to the preceding year, which is an additional \$____
15 (insert dollar amount of increase in maintenance and operations tax
16 revenue under the adopted tax rate as compared to maintenance and
17 operations tax revenue in the preceding tax year). If the adopted
18 tax rate is not ratified, the (name of school district) may not
19 adopt a tax rate that exceeds _____ (insert the school district's
20 voter-approval tax rate)."

21 SECTION 3. (a) Not later than June 1, 2022, the comptroller
22 of public accounts shall prepare and provide to the legislature an
23 update of the biennial revenue estimate prepared in accordance with
24 Section 49a, Article III, Texas Constitution, and provided to the
25 legislature in January 2021. The update must include the difference
26 between the estimated balance of general revenue-related funds
27 available for certification at the end of the state fiscal year

1 ending August 31, 2023, as determined under:

2 (1) the update required under this subsection; and

3 (2) the comptroller's biennial revenue estimate update
4 provided to the legislature in August 2021.

5 (b) In addition to other amounts appropriated to the Texas
6 Education Agency for the state fiscal year ending August 31, 2023,
7 an amount equal to the lesser of \$4 billion or the sum of \$2 billion
8 and 50 percent of the amount, if any, by which the difference
9 determined under Subsection (a) of this section exceeds \$500
10 million is appropriated from the general revenue fund to the agency
11 for the state fiscal year ending August 31, 2023, for use in
12 providing school district property tax relief by reducing each
13 school district's maximum compressed tax rate under Section
14 48.2555, Education Code, as added by this Act.

15 SECTION 4. Except as otherwise provided by this Act:

16 (1) this Act takes effect immediately if it receives a
17 vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution; and

19 (2) if this Act does not receive the vote necessary for
20 immediate effect, this Act takes effect on the 91st day after the
21 last day of the legislative session.