

## **BILL ANALYSIS**

Senate Research Center  
87R21329 BDP-D

H.B. 3456  
By: White (Eckhardt)  
Education  
5/19/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The coronavirus pandemic heavily impacted the revenue that the state was able to generate. Additionally, the revenue needed to fund unemployment insurance greatly increased as a direct result of the pandemic, which left many Texans unable to work safely. In May 2020, the governor, the lieutenant governor, and the speaker of the house issued a directive to all state agencies and institutions of higher education to submit a plan to reduce discretionary spending and general revenue by five percent for the 2020-2021 biennium.

These cuts would have included the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, and the Juvenile Justice Alternative Education Program had it not been noticed by legislators who urged the governor to exempt these schools from the budget cuts.

Districts which are not part of the foundation school program are subject to budget reductions by the Legislative Budget Board or the governor. Ensuring operational costs to school systems that are not part of the larger public school system is vital to their success and the success of the students they serve.

H.B. 3456 includes the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, the Texas Juvenile Justice Department, and adult education programs as part of the foundation school program and exempts the institutions from the five percent reductions requested by the Legislative Budget Board.

H.B. 3456 amends current law relating to inclusion of funds received by certain educational institutions or programs in foundation school program funds for purposes of certain budget reductions.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 19.007, Education Code, by adding Subsection (h), as follows:

(h) Provides that, notwithstanding any other law, for purposes of any budget reductions requested by the Legislative Budget Board (LBB) or the governor, any money received by the district or appropriated to the Texas Department of Criminal Justice for purposes of operating the district is considered to be part of the foundation school program and is not subject to those budget reductions.

SECTION 2. Amends Section 29.259, Education Code, by adding Subsection (j-1), as follows:

(j-1) Provides that, notwithstanding any other law, for purposes of any budget reductions requested by the LBB or the governor, any money received by a nonprofit entity granted a charter under Section 29.259 (Adult High School Diploma and Industry Certification Charter School Program) or appropriated to the Texas Education Agency (TEA) for

purposes of operating an adult education program under this section is considered to be part of the foundation school program and is not subject to those budget reductions.

SECTION 3. Amends Section 30.025, Education Code, as follows:

Sec. 30.025. FUNDING OF TEXAS SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED. (a) Creates this subsection from existing text and makes no further changes.

(b) Provides that, notwithstanding any other law, for purposes of any budget reductions requested by the LBB or the governor, any money received by the Texas School for the Blind and Visually Impaired or appropriated to TEA for purposes of operating the school is considered to be part of the foundation school program and is not subject to those budget reductions.

SECTION 4. Amends Section 30.056, Education Code, as follows:

Sec. 30.056. FUNDING OF THE TEXAS SCHOOL FOR THE DEAF. (a) Creates this subsection from existing text and makes no further changes.

(b) Provides that, notwithstanding any other law, for purposes of any budget reductions requested by the LBB or the governor, any money received by the Texas School for the Deaf or appropriated to TEA for purposes of operating the school is considered to be part of the foundation school program and is not subject to those budget reductions.

SECTION 5. Amends Section 37.012, Education Code, by adding Subsection (f), as follows:

(f) Provides that, notwithstanding any other law, for purposes of any budget reductions requested by the LBB or the governor, any money received by a local juvenile probation department or appropriated to the Texas Juvenile Justice Department for purposes of operating a juvenile justice alternative education program is considered to be part of the foundation school program and is not subject to those budget reductions.

SECTION 6. Effective date: upon passage or September 1, 2021.