H.B. No. 3456

AN ACT

relating to inclusion of funds received by certain educational institutions or programs in foundation school program funds for purposes of certain budget reductions.

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

SECTION 1.  Section 19.007, Education Code, is amended by adding Subsection (h) to read as follows:

(h)  Notwithstanding any other law, for purposes of any budget reductions requested by the Legislative Budget Board or the governor, any money received by the district or appropriated to the department 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.  Section 29.259, Education Code, is amended by adding Subsection (j-1) to read as follows:

(j-1)  Notwithstanding any other law, for purposes of any budget reductions requested by the Legislative Budget Board or the governor, any money received by a nonprofit entity granted a charter under this section or appropriated to the agency 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.  Section 30.025, Education Code, is amended to read as follows:

Sec. 30.025.  FUNDING OF TEXAS SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED. (a) The funding of the Texas School for the Blind and Visually Impaired consists of:

(1)  money the legislature specifically appropriates to the school;

(2)  money the agency allocates to the school under this code;

(3)  money paid under a contract or other agreement;

(4)  money the school receives through a gift or bequest;

(5)  a payment the school receives from a school district under Section 30.003; and

(6)  the school's share of the available school fund and payments to compensate for payments no longer made from the available school fund as provided by Section 30.003(f).

(b)  Notwithstanding any other law, for purposes of any budget reductions requested by the Legislative Budget Board or the governor, any money received by the Texas School for the Blind and Visually Impaired or appropriated to the agency 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.  Section 30.056, Education Code, is amended to read as follows:

Sec. 30.056.  FUNDING OF THE TEXAS SCHOOL FOR THE DEAF. (a) The funding of the Texas School for the Deaf consists of:

(1)  money the legislature specifically appropriates for the school;

(2)  money the agency allocates to the school under this code;

(3)  money paid under a contract or other agreement;

(4)  money the school receives through a gift or bequest;

(5)  a payment the school receives from a school district under Section 30.003; and

(6)  the school's share of the available school fund and payments to compensate for payments no longer made from the available school fund as provided by Section 30.003(f).

(b)  Notwithstanding any other law, for purposes of any budget reductions requested by the Legislative Budget Board or the governor, any money received by the Texas School for the Deaf or appropriated to the agency 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.  Section 37.012, Education Code, is amended by adding Subsection (f) to read as follows:

(f)  Notwithstanding any other law, for purposes of any budget reductions requested by the Legislative Budget Board 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.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

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    President of the Senate Speaker of the House

I certify that H.B. No. 3456 was passed by the House on May 11, 2021, by the following vote:  Yeas 140, Nays 3, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3456 was passed by the Senate on May 25, 2021, by the following vote:  Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                    Date

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                  Governor