87R19753 CXP-F

By:  Jetton, Guillen H.B. No. 3591

Substitute the following for H.B. No. 3591:

By:  Dutton C.S.H.B. No. 3591

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a high-speed Internet access grant program to facilitate instruction and learning for public school students.

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

SECTION 1.  Chapter 32, Education Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. HIGH-SPEED INTERNET ACCESS GRANT PROGRAM

Sec. 32.321.  ESTABLISHMENT OF PROGRAM. (a) The agency shall establish a high-speed Internet access grant program to provide grants to school districts and open-enrollment charter schools to provide high-speed Internet to facilitate instruction and learning for students enrolled in the district or school.

(b)  The agency shall publish on the agency's Internet website a list of providers of high-speed Internet services, infrastructure, equipment, and devices approved for participation in the grant program. Approval of providers must be based on:

(1)  quality of the service or product;

(2)  availability of the service or product;

(3)  reasonableness of the rates or costs of the service or product; and

(4)  agreement by the provider to abide by grant program requirements or separate requirements established by the commissioner.

(c)  The commissioner may negotiate with providers approved under Subsection (b) to obtain rates and costs favorable to school districts and open-enrollment charter schools in connection with the grant program.

(d)  A school district or an open-enrollment charter school may apply to the commissioner to participate in the grant program. In awarding grants under this subchapter for each school year, the commissioner shall consider for each district or school that applies:

(1)  the availability of high-speed Internet access for students at district or school facilities or at the residences of the students enrolled in the district or school;

(2)  other funding available to the district or school to provide high-speed Internet access to students enrolled in the district or school; and

(3)  any budgeted plans for providing high-speed Internet access to students enrolled in the district or school.

(e)  The commissioner may determine the terms of a grant awarded under this section, including limits on the amount of a grant and the approved uses of grant funds.

(f)  The agency may administer the grant program or contract with a regional education service center to administer the grant program.

(g)  The commissioner may recover funds not used in accordance with the terms of a grant by withholding amounts from any state funds otherwise due to the school district or open-enrollment charter school.

Sec. 32.322.  FUNDING. (a) To establish the grant program authorized under this subchapter, the commissioner shall use funds appropriated for the purpose and may use other funds available for the purpose.

(b)  The commissioner may solicit and accept gifts, grants, and donations from any public or private source, including the federal government.

(c)  Notwithstanding any other provision in this subchapter, the commissioner is required to establish the grant program under this subchapter only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commissioner may, but is not required to, establish the grant program under this subchapter using other appropriations available for that purpose. If funds are not appropriated and are not otherwise available for the purpose of the grant program authorized under this subchapter, the commissioner may:

(1)  implement the grant program with funding obtained under Subsection (b);

(2)  implement and maintain the approved provider list under Section 32.321(b) independently of the grant program; and

(3)  negotiate on behalf of school districts and open-enrollment charter schools with providers approved under Section 32.321(b) independently of the grant program.

Sec. 32.323.  RULES. The commissioner may adopt rules as necessary to implement this subchapter.

SECTION 2.  This Act applies beginning with the 2021-2022 school year.

SECTION 3.  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.