By:  Nelson S.B. No. 1969

A BILL TO BE ENTITLED

AN ACT

relating to state fiscal matters related to public education.

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

ARTICLE 1. REDUCTION OF EXPENDITURES AND IMPOSITION OF FEES OR CHARGES GENERALLY

SECTION 1.01.  This article applies to the Texas Education Agency, the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, and the Teacher Retirement System of Texas.

SECTION 1.02.  Notwithstanding any other statute of this state, each entity to which this article applies is authorized to reduce or recover expenditures by:

(1)  consolidating any reports or publications the entity is required to make and filing or delivering any of those reports or publications exclusively by electronic means;

(2)  extending the effective period of any license, permit, or registration the entity grants or administers;

(3)  entering into a contract with another governmental entity or with a private vendor to carry out any of the entity's duties;

(4)  modifying the services provided to and the eligibility requirements, including the procedures to determine eligibility, for persons who receive benefits under any federal or state law the entity administers to ensure that those benefits are received by the most deserving persons consistent with the purposes for which the benefits are provided;

(5)  providing that any communication between the entity and another person and any document required to be delivered to or by the entity, including any application, notice, billing statement, receipt, or certificate, may be made or delivered by e-mail or through the Internet; and

(6)  adopting and collecting fees or charges to cover any costs the entity incurs in performing its lawful functions.

ARTICLE 2. REDUCTION IN GENERAL APPROPRIATIONS ACT

SECTION 2.01.  An employee of an entity described by Section 1.01 of this Act is not entitled to an amount from the state for expenses, including office expenses or reimbursement of office expenses, per diem, travel, or a salary or salary supplement that exceeds the amount authorized for those purposes by the General Appropriations Act.

ARTICLE 3. FISCAL MATTERS RELATED TO PUBLIC EDUCATION

SECTION 3.01.  Section 21.4021(a), Education Code, is amended to read as follows:

(a)  Notwithstanding Section 21.401 and subject to Section 21.4022, the board of trustees of a school district may, in accordance with district policy, implement a furlough program and reduce the number of days of service otherwise required under Section 21.401 by not more than seven [~~six~~] days of service during a school year if the commissioner certifies in accordance with Section 48.010 that the district will be provided with less state and local funding for that year than was provided to the district for the 2020-2021 [~~2010-2011~~] school year.

SECTION 3.02.  Section 25.112(a), Education Code, is amended to read as follows:

(a)  Except as otherwise authorized by this section, a school district may not enroll more than 22 students in [~~a~~] kindergarten, first, second, third, and [~~or~~] fourth grade classes [~~class~~]. That limitation does not apply during:

(1)  any 12-week period of the school year selected by the district, in the case of a district whose average daily attendance is adjusted under Section 48.005(c); or

(2)  the last 12 weeks of any school year in the case of any other district.

SECTION 3.03.  Section 48.010, Education Code, is amended to read as follows:

Sec. 48.010.  DETERMINATION OF FUNDING LEVELS. (a) Not later than July 1 of each year, the commissioner shall determine for each school district whether the estimated amount of state and local funding per student in weighted average daily attendance to be provided to the district under the Foundation School Program for maintenance and operations for the following school year is less than the amount provided to the district for the 2020-2021 [~~2010-2011~~] school year. If the amount estimated to be provided is less, the commissioner shall certify the percentage decrease in funding to be provided to the district.

(b)  In making the determinations regarding funding levels required by Subsection (a), the commissioner shall:

(1)  make adjustments as necessary to reflect changes in a school district's maintenance and operations tax rate;

(2)  for a district required to reduce its local revenue level under Section 48.257, base the determinations on the district's net funding levels after deducting any amounts required to be expended by the district to comply with Chapter 49; and

(3)  determine a district's weighted average daily attendance in accordance with this chapter as it existed on January 1, 2021 [~~2011~~].

SECTION 3.04.  Section 21.402(c-1), Education Code, is repealed.

SECTION 3.05.  This article applies beginning with the 2021-2022 school year.

ARTICLE 4. FISCAL MATTERS CONCERNING RETIRED TEACHERS

SECTION 4.01.  Section 825.404(b), Government Code, is amended to read as follows:

(b)  Before November 15 [~~2~~] of each even-numbered year, the board of trustees, in coordination with the Legislative Budget Board, shall certify to the comptroller of public accounts for review and adoption an estimate of the amount necessary to pay the state's contributions to the retirement system for the following biennium. For qualifying employees under Subsection (a-1)(1), the board of trustees shall include only the amount payable by the state under Subsection (a-1)(1) in determining the amount to be certified.

SECTION 4.02.  Section 1575.202(a), Insurance Code, is amended to read as follows:

(a)  Each state fiscal year, the state shall contribute to the fund an amount equal to 1.23 [~~1.25~~] percent of the salary of each active employee.

SECTION 4.03.  The changes in law made by this article apply beginning with the state fiscal year that begins September 1, 2021.

ARTICLE 5. FISCAL MATTERS CONCERNING ADVANCED PLACEMENT

SECTION 5.01.  (a) Section 28.053(i), Education Code, is amended to read as follows:

(i)  The commissioner shall analyze and adjust, as needed, the sum of and number of awards to ensure that the purpose of the program is realized and to account for any budgetary constraints.

(b)  This section applies beginning with the 2021-2022 school year.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01.  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.