

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

1
2 relating to the creation of a high-speed Internet access grant
3 program to facilitate instruction and learning for public school
4 students.

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

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

8 SUBCHAPTER H. HIGH-SPEED INTERNET ACCESS GRANT PROGRAM

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

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

18 (1) quality of the service or product;

19 (2) availability of the service or product;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 school year.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2021.