

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 27, 2021**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB1716** by Taylor (Relating to a supplemental special education services and instructional materials program for certain public school students receiving special education services.), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1716, As Passed 2nd House : a negative impact of (\$60,561,243) through the biennium ending August 31, 2023.

The Texas Education Agency is required to implement this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the agency may, but is not required to, implement the Act using other appropriations available for the purpose.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five- Year Impact:**

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2022	(\$30,266,436)
2023	(\$30,294,807)
2024	(\$30,294,807)
2025	(\$30,294,807)
2026	(\$30,294,807)

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2021</i>
2022	(\$30,266,436)	2.0
2023	(\$30,294,807)	2.0
2024	(\$30,294,807)	2.0
2025	(\$30,294,807)	2.0
2026	(\$30,294,807)	2.0

**Fiscal Analysis**

The bill would require the Texas Education Agency (TEA) to establish a supplemental special education services and instructional materials program. The program would be for students enrolled at a school district or

open-enrollment charter schools who are enrolled in a special education program. Through the program, the agency would provide up to \$1,500 to purchase supplemental special education services and supplemental special education instructional materials. The bill would require the agency to maintain a system of online accounts to provide access to the credit and would require the agency to establish an application system to allow parents to apply for the program.

The bill would define "supplemental special education instructional materials" to include textbooks, computer hardware or software, other technological devices, and other materials suitable for addressing an educational need of a student receiving special education services. The bill would define "supplemental special education services" as a service or therapy that addresses an educational need of a student receiving special education services.

### **Methodology**

The bill requires that the commissioner of education set aside an amount not to exceed \$30.0 million each fiscal year to fund the grant program, out of funds appropriated. The bill does not specify a method of finance for the grant program. This analysis assumes that the Legislature would appropriate \$30.0 million in General Revenue funds during each fiscal year of the 2022-23 biennium to fund the program.

This analysis assumes that General Revenue Funds would be appropriated to fund the program. Because the program would be application-based, the program would be scalable based on the amount funds that are appropriated.

According to TEA, the agency would require one Education Specialist IV to administer the program and one Programmer IV to provide ongoing information technology maintenance and support. Costs associated with these FTEs would be \$248,250 in fiscal year 2022 and \$240,250 in fiscal year 2023.

### **Technology**

TEA estimates that there would be costs of \$18,186 in fiscal year 2022 and \$54,557 in fiscal year 2023 to develop and implement the requirements of the bill.

### **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** JMc, LBO, AH, THO, CMA, SL