

BILL ANALYSIS

Senate Research Center
88S40842 KJE-D

S.B. 5
By: Huffman et al.
Finance
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 5 builds on the historic funding for school safety that was provided in S.B. 30 and H.B. 3 of the 88th Legislature, Regular Session. S.B. 5 appropriates \$800,000,000 in general revenue to the Texas Education Agency to double the school safety per campus and per student allotments above those adopted during the 88th Legislature, Regular Session, and to award grants to assist school districts in implementing school safety initiatives specifically defined in H.B. 3 of the 88th Legislature, Regular Session.

As proposed, S.B. 5 amends current law relating to the school safety allotment under the Foundation School Program and the establishment of a school safety grant program and makes an appropriation.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 2 (Section 37.1087, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 37.108(b-1), Education Code, as follows:

(b-1) Requires a school district, in the district's safety and security audit required under Subsection (b) (relating to requiring each school district or public junior college district to conduct a safety security audit of the district's facilities), to certify that the district used the funds provided to the district through the school safety grant program established under Section 37.1087 and the school safety allotment under Section 48.115 (School Safety Allotment) only for the purposes provided by those sections. Makes a nonsubstantive change.

SECTION 2. Amends Subchapter D, Chapter 37, Education Code, by adding Section 37.1087, as follows:

Sec. 37.1087. SCHOOL SAFETY GRANT PROGRAM. (a) Requires the commissioner of education (commissioner), from money appropriated or otherwise available for the purpose, to establish a school safety grant program to annually provide grants to school districts and open-enrollment charter schools to assist with the cost of complying with Section 37.0814 (Armed Security Officer Required).

(b) Prohibits a school district or open-enrollment charter school from receiving a grant under the grant program for a district or school campus at which only virtual instruction is provided or that uses only facilities not subject to the district's or school's control.

(c) Authorizes the commissioner to adopt rules necessary to implement and administer this section.

SECTION 3. Amends Section 48.115(a), Education Code, as follows:

(a) Entitles a school district, except as provided by Subsection (a-1) (relating to providing that a school district campus that provides only virtual instruction or utilizes only

facilities not subject to the district's control is not included for purposes of determining a school district's allotment), to an annual allotment equal to the sum of the following amounts or a greater amount provided by appropriation:

- (1) \$20, rather than \$10, for each student in average daily attendance, plus a certain amount, prorated as necessary; and
- (2) \$30,000, rather than \$15,000, per campus.

SECTION 4. (a) Makes this section contingent upon passage of S.B. 2, 88th Legislature, 4th Called Session, 2023.

(b) Amends Section 18.78, Article IX, Chapter 1170 (H.B. 1), Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), by adding Subsection (c-1), as follows:

(c-1) Provides that the Texas Education Agency (TEA), in addition to amounts appropriated elsewhere in this Act, is appropriated \$400,000,000 from the general revenue fund for the state fiscal biennium beginning September 1, 2023, for the purpose of the school safety grant program established under Section 37.1087, Education Code, as added by S.B. 5, 88th Legislature, 4th Called Session, 2023.

SECTION 5. (a) Provides that this section takes effect only if S.B. 2, 88th Legislature, 4th Called Session, 2023, does not become law.

(b) Amends Section 18.78, Article IX, Chapter 1170 (H.B. 1), Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), by adding Subsection (c-1), as follows:

(c-1) Provides that TEA, in addition to amounts appropriated elsewhere in this Act, is appropriated \$800,000,000 from the general revenue fund for the state fiscal biennium beginning September 1, 2023, for the purpose of implementing S.B. 5, 88th Legislature, 4th Called Session, 2023. Requires TEA, of the amount appropriated in this subsection, to use:

- (1) \$400,000,000 for the school safety grant program established under Section 37.1087, Education Code, as added by that Act; and
- (2) \$400,000,000 to increase the school safety allotment under Section 48.115, Education Code, as amended by that Act.

SECTION 6. Effective date: upon passage or the 91st day after the last day of the legislative session.