88S40074 PRL-D

By:  Thompson of Brazoria H.B. No. 25

A BILL TO BE ENTITLED

AN ACT

relating to requirements for legislation increasing expenditures by public schools.

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

SECTION 1.  Chapter 1, Education Code, is amended by adding Section 1.007 to read as follows:

Sec. 1.007.  REQUIREMENTS FOR LEGISLATION INCREASING EXPENDITURES BY PUBLIC SCHOOLS. (a) In this section, "state educational mandate" means a statutory provision or agency rule the implementation of which requires an expenditure by a school district or open-enrollment charter school that would not have been required in the absence of the statutory provision or the rule adopted under that provision.

(b)  Notwithstanding any other law, legislation that imposes a state educational mandate on a school district or open-enrollment charter school and that does not provide for the payment or reimbursement of the required expenditure must also:

(1)  increase the basic allotment under Section 48.051 in an amount sufficient to cover the cost of the increased expenditures required by the legislation; or

(2)  eliminate one or more existing state educational mandates for which the amount of expenditures required by a district or school under those mandates is at least equal to the amount of expenditures required by the legislation.

(c)  Notwithstanding any other law, a school district or open-enrollment charter school is not required to comply with legislation that fails to comply with Subsection (b).

(d)  For each proposed piece of legislation related to primary and secondary education, the agency shall:

(1)  determine whether this section applies to the legislation; and

(2)  provide written notice to the Legislative Budget Board of the agency's determination under Subdivision (1) for the board to include in the impact statement prepared under Section 314.004, Government Code.

SECTION 2.  Section 314.004, Government Code, is amended by adding Subsection (d) to read as follows:

(d)  The impact statement must include the Texas Education Agency's state educational mandate determination provided to the board under Section 1.007, Education Code.

SECTION 3.  This Act takes effect on the 91st day after the last day of the legislative session.