

By: Thompson of Brazoria

H.B. No. 25

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to requirements for legislation increasing expenditures  
3 by public schools.

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

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

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

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

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

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

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

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

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

8            (2) provide written notice to the Legislative Budget  
9 Board of the agency's determination under Subdivision (1) for the  
10 board to include in the impact statement prepared under Section  
11 314.004, Government Code.

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

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

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