

By: Huffman, et al.

S.B. No. 5

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the school safety allotment under the Foundation School
3 Program and the establishment of a school safety grant program;
4 making an appropriation.

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

6 SECTION 1. Section 37.108(b-1), Education Code, is amended
7 to read as follows:

8 (b-1) In a school district's safety and security audit
9 required under Subsection (b), the district must certify that the
10 district used the funds provided to the district through the school
11 safety grant program established under Section 37.1087 and the
12 school safety allotment under Section 48.115 only for the purposes
13 provided by those sections [~~that section~~].

14 SECTION 2. Subchapter D, Chapter 37, Education Code, is
15 amended by adding Section 37.1087 to read as follows:

16 Sec. 37.1087. SCHOOL SAFETY GRANT PROGRAM. (a) From money
17 appropriated or otherwise available for the purpose, the
18 commissioner shall establish a school safety grant program to
19 annually provide grants to school districts and open-enrollment
20 charter schools to assist with the cost of complying with Section
21 37.0814.

22 (b) A school district or open-enrollment charter school may
23 not receive a grant under the grant program for a district or school
24 campus at which only virtual instruction is provided or that uses

1 only facilities not subject to the district's or school's control.

2 (c) The commissioner may adopt rules necessary to implement
3 and administer this section.

4 SECTION 3. Section 48.115(a), Education Code, is amended to
5 read as follows:

6 (a) Except as provided by Subsection (a-1), a school
7 district is entitled to an annual allotment equal to the sum of the
8 following amounts or a greater amount provided by appropriation:

9 (1) \$20 [~~\$10~~] for each student in average daily
10 attendance, plus \$1 for each student in average daily attendance
11 per every \$50 by which the district's maximum basic allotment under
12 Section 48.051 exceeds \$6,160, prorated as necessary; and

13 (2) \$30,000 [~~\$15,000~~] per campus.

14 SECTION 4. (a) This section takes effect only if S.B. 2,
15 88th Legislature, 4th Called Session, 2023, becomes law.

16 (b) Section 18.78, Article IX, Chapter 1170 (H.B. 1), Acts
17 of the 88th Legislature, Regular Session, 2023 (the General
18 Appropriations Act), is amended by adding Subsection (c-1) to read
19 as follows:

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

26 SECTION 5. (a) This section takes effect only if S.B. 2,
27 88th Legislature, 4th Called Session, 2023, does not become law.

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

5 (c-1) In addition to amounts appropriated elsewhere in this
6 Act, the Texas Education Agency is appropriated \$800,000,000 from
7 the general revenue fund for the state fiscal biennium beginning
8 September 1, 2023, for the purpose of implementing S.B. 5, 88th
9 Legislature, 4th Called Session, 2023. Of the amount appropriated
10 in this subsection, the agency shall use:

11 (1) \$400,000,000 for the school safety grant program
12 established under Section 37.1087, Education Code, as added by that
13 Act; and

14 (2) \$400,000,000 to increase the school safety
15 allotment under Section 48.115, Education Code, as amended by that
16 Act.

17 SECTION 6. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect on the 91st day after the last day of the
22 legislative session.