By: Huffman, et al. S.B. No. 5

A BILL TO BE ENTITLED

AN ACT
relating to the school safety allotment under the Foundation School Program and the establishment of a school safety grant program; making an appropriation.

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

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

(b-1) In a school district’s safety and security audit required under Subsection (b), the district must 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 only for the purposes provided by those sections [that section].

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

Sec. 37.1087. SCHOOL SAFETY GRANT PROGRAM. (a) From money appropriated or otherwise available for the purpose, the commissioner shall 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.

(b) A school district or open-enrollment charter school may not receive a grant under the grant program for a district or school campus at which only virtual instruction is provided or that uses
S.B. No. 5

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

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

1. $20 [$10] for each student in average daily attendance, plus $1 for each student in average daily attendance per every $50 by which the district's maximum basic allotment under Section 48.051 exceeds $6,160, prorated as necessary; and
2. $30,000 [$15,000] per campus.

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

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

(c-1) In addition to amounts appropriated elsewhere in this Act, the Texas Education Agency 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) This section takes effect only if S.B. 2, 88th Legislature, 4th Called Session, 2023, does not become law.
(c-1) In addition to amounts appropriated elsewhere in this Act, the Texas Education Agency 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. Of the amount appropriated in this subsection, the agency shall 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. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.