88R21716 JES-F

By:  King of Hemphill H.J.R. No. 170

Substitute the following for H.J.R. No. 170:

By:  Lozano C.S.H.J.R. No. 170

A JOINT RESOLUTION

proposing a constitutional amendment creating the state school safety fund to provide financial support for projects that enhance the safety of public schools in this state.

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

SECTION 1.  Article VII, Texas Constitution, is amended by adding Section 7 to read as follows:

Sec. 7.  (a) The state school safety fund is created as a special fund in the state treasury outside the general revenue fund. Money in the state school safety fund shall be administered, without further appropriation, by the Texas Permanent School Fund Corporation or that corporation's successor in function. In accordance with general law, the state school safety fund may be used only to support projects to enhance the safety of public schools in this state, including projects to ensure public schools meet school safety standards established by the Texas Education Agency or that agency's successor in function. Separate accounts may be established in the state school safety fund as necessary or convenient to administer the fund or the supported projects.

(b)  The legislature by general law may authorize the Texas Permanent School Fund Corporation or that corporation's successor in function to provide money from the state school safety fund to the Texas Education Agency or that agency's successor in function for purposes of providing financial assistance, including by direct grant to an independent school district or open-enrollment charter school, for projects described under Subsection (a) of this section.

(c)  The state school safety fund consists of:

(1)  money appropriated to the fund;

(2)  money transferred or deposited to the credit of the fund by general law, including money from any source transferred or deposited to the credit of the fund at the discretion of the Texas Permanent School Fund Corporation or the Texas Education Agency or that corporation's or agency's successor in function as authorized by general law;

(3)  revenue from any source that the legislature by statute dedicates for deposit to the credit of the fund;

(4)  investment earnings and interest earned on amounts credited to the fund;

(5)  money appropriated by the legislature for the purposes of funding public schools that is determined by the commissioner of education to exceed the amount required for the support and maintenance of public schools, including amounts to which the public schools of this state are entitled under general law; and

(6)  money transferred to the fund from another fund or account to which money from the fund was transferred, as authorized by general law.

(d)  The legislature by general law shall provide for the manner in which money in the state school safety fund may be used, subject to the limitations provided by this section. The legislature by general law may provide for costs of investment and administration of the state school safety fund to be paid from the fund.

(e)  For the purposes of Section 22, Article VIII, of this constitution, an appropriation of money from the economic stabilization fund for the purpose of depositing that money to the credit of the state school safety fund is considered to be an appropriation of state tax revenues dedicated by this constitution.

(f)  This section is intended to establish a basic framework of the state school safety fund, and the legislature by general law may provide for the implementation and effectuate the design and objects of this section and may delegate duties, responsibilities, functions, and authority to the Texas Permanent School Fund Corporation or the Texas Education Agency or that corporation's or agency's successor in function for those purposes.

SECTION 2.  This proposed constitutional amendment shall be submitted to the voters at an election to be held November 7, 2023. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment creating the state school safety fund to provide financial support for projects that enhance the safety of public schools in this state."