By:  Middleton S.B. No. 1068

(In the Senate - Filed February 21, 2023; March 3, 2023, read first time and referred to Committee on Education; April 6, 2023, reported favorably by the following vote: Yeas 9, Nays 3; April 6, 2023, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Creighton         X

Campbell             X

Bettencourt          X

Birdwell                      X

Flores               X

King                 X

LaMantia                 X

Menéndez                 X

Middleton            X

Parker               X

Paxton               X

Springer             X

West                     X

A BILL TO BE ENTITLED

AN ACT

relating to the removal of restrictions on funding and payment of costs for certain full-time online educational programs; authorizing a fee.

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

SECTION 1.  Section 26.0031(c-1), Education Code, is amended to read as follows:

(c-1)  A school district or open-enrollment charter school may decline to pay the cost for a student of more than three yearlong electronic courses, or the equivalent, during any school year. This subsection does not:

(1)  limit the ability of the student to enroll in additional electronic courses at the student's cost; or

(2)  apply to a student enrolled in a full-time online program [~~that was operating on January 1, 2013~~].

SECTION 2.  Section 30A.153(a-1), Education Code, is amended to read as follows:

(a-1)  For purposes of Subsection (a), a school district or open-enrollment charter school is limited to the funding described by that subsection for a student's enrollment in not more than three electronic courses during any school year, unless the student is enrolled in a full-time online program [~~that was operating on January 1, 2013~~].

SECTION 3.  Subchapter D, Chapter 30A, Education Code, is amended by adding Section 30A.156 to read as follows:

Sec. 30A.156.  PROGRAM ESTABLISHMENT FEE. (a) If the agency determines that the cost of supporting the establishment of a full-time online program, including the cost of evaluating and approving electronic courses, will not be paid by the agency because funds for that purpose are not available, a school district or open-enrollment charter school that intends to operate a full-time online program may pay to the agency a one-time fee in an amount that is equal to the cost of establishing that program to ensure adequate support for that program is provided.

(b)  The agency shall develop and publish a fee schedule for purposes of establishing a full-time online program.

SECTION 4.  The changes in law made by this Act apply to electronic courses taken through the state virtual school network beginning with the 2023-2024 school year.

SECTION 5.  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 September 1, 2023.

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