

By: King of Hemphill

H.B. No. 100

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the compensation of public school educators and to the
3 public school finance system, including enrollment-based funding
4 for certain allotments under the Foundation School Program.

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

6 ARTICLE 1. CHANGES EFFECTIVE FOR 2023-2024 SCHOOL YEAR

7 SECTION 1.01. Section 19.009(d-2), Education Code, is
8 amended to read as follows:

9 (d-2) Beginning with the 2009-2010 school year, the
10 district shall increase the [~~monthly~~] salary of each classroom
11 teacher, full-time speech pathologist, full-time librarian,
12 full-time school counselor certified under Subchapter B, Chapter
13 21, and full-time school nurse employed by the district by the
14 greater of:

15 (1) \$80 per month; or

16 (2) the maximum uniform amount per month that, when
17 combined with any resulting increases in the amount of
18 contributions made by the district for social security coverage for
19 the specified employees or by the district on behalf of the
20 specified employees under Section 825.405, Government Code, may be
21 provided using an amount equal to the product of \$60 multiplied by
22 the number of students in weighted average daily attendance in the
23 district during the 2009-2010 school year.

24 SECTION 1.02. Section 21.402, Education Code, is amended by

1 amending Subsections (a) and (g) and adding Subsections (a-1),
2 (c-2), (i), (j), (k), and (l) to read as follows:

3 (a) Except as provided by Subsection (c-2) [~~(e-1) or (f)~~], a
4 school district must pay each employee who is employed as a
5 classroom teacher, full-time librarian, full-time school counselor
6 certified under Subchapter B, or full-time school nurse not less
7 than the highest annual minimum [~~minimum monthly~~] salary described
8 by the following schedule applicable to [~~, based on~~] the employee's
9 certification, if any, and years [~~level~~] of experience:

10 (1) for an employee with less than five years of
11 experience who holds:

12 (A) no certification \$35,000;

13 (B) a teacher intern, teacher trainee, or
14 probationary certificate issued under Subchapter B \$37,000;

15 (C) the base certificate required under Section
16 21.003(a) for employment in the employee's position other than a
17 certificate described by Paragraph (B) \$40,000; or

18 (D) any certificate described under this
19 subsection and a designation under Section 21.3521 \$43,000;

20 (2) for an employee with at least five years of
21 experience who holds:

22 (A) no certification \$45,000;

23 (B) a teacher intern, teacher trainee, or
24 probationary certificate issued under Subchapter B \$47,000;

25 (C) the base certificate required under Section
26 21.003(a) for employment in the employee's position other than a
27 certificate described by Paragraph (B) \$50,000; or

1 (D) any certificate described under this
2 subsection and a designation under Section 21.3521 \$53,000; or

3 (3) for an employee with at least 10 years of
4 experience who holds:

5 (A) no certification \$55,000;

6 (B) a teacher intern, teacher trainee, or
7 probationary certificate issued under Subchapter B \$57,000;

8 (C) the base certificate required under Section
9 21.003(a) for employment in the employee's position \$60,000; or

10 (D) any certificate described under this
11 subsection and a designation under Section 21.3521 \$63,000

12 ~~[in addition to other factors, as determined by commissioner rule,~~
13 ~~determined by the following formula:~~

14 ~~[MS = SF x FS~~

15 ~~[where:~~

16 ~~["MS" is the minimum monthly salary;~~

17 ~~["SF" is the applicable salary factor specified by Subsection~~
18 ~~(c); and~~

19 ~~["FS" is the amount, as determined by the commissioner under~~
20 ~~Subsection (b), of the basic allotment as provided by Section~~
21 ~~48.051(a) or (b) for a school district with a maintenance and~~
22 ~~operations tax rate at least equal to the state maximum compressed~~
23 ~~tax rate, as defined by Section 48.051(a)].~~

24 (a-1) For purposes of Subsection (a), a full-time school
25 nurse is considered to hold the base certificate required under
26 Section 21.003(a) for employment as a school nurse, regardless of
27 the other certifications held by the nurse.

1 (c-2) A school district is not required to pay an employee
2 who is employed as a classroom teacher, full-time librarian,
3 full-time school counselor certified under Subchapter B, or
4 full-time school nurse the minimum salary required under
5 Subsection (a) for the school year following a school year during
6 which the district reviews the employee's performance and finds
7 the employee's performance unsatisfactory.

8 (g) The commissioner may adopt rules to govern the
9 application of this section, including rules that:

10 (1) require the payment of a minimum salary under this
11 section to a person employed in more than one capacity for which a
12 minimum salary is provided and whose combined employment in those
13 capacities constitutes full-time employment; and

14 (2) specify the credentials a person must hold to be
15 considered a [~~speech pathologist or~~] school nurse under this
16 section.

17 (i) A school district must use at least 50 percent of the
18 difference between what the district would have paid under Section
19 825.405, Government Code, based on the salaries paid under this
20 section as it existed on January 1, 2023, and what the district
21 pays under Section 825.405, Government Code, based on the salaries
22 paid under this section as it exists after September 1, 2023, to
23 increase the average total compensation per district employee
24 employed as a classroom teacher, full-time librarian, full-time
25 school counselor certified under Subchapter B, or full-time school
26 nurse. In calculating average total compensation per district
27 employee under this subsection, a district may not include

1 compensation paid to a classroom teacher, full-time librarian,
2 full-time school counselor certified under Subchapter B, or
3 full-time school nurse in a position added by the school district
4 for the current school year that increases the ratio of those
5 employees to enrolled students over the ratio of those employees to
6 enrolled students for the preceding year.

7 (j) A school district that increases employee compensation
8 in the 2023-2024 school year to comply with Subsection (a), as
9 amended by ___B. ____, Acts of the 88th Legislature, Regular
10 Session, 2023, is providing compensation for services rendered
11 independently of an existing employment contract applicable to
12 that year and is not in violation of Section 53, Article III, Texas
13 Constitution. A school district that does not meet the
14 requirements of Subsection (a) in the 2023-2024 school year may
15 satisfy the requirements of this section by providing an employee a
16 one-time bonus payment during the 2024-2025 school year in an
17 amount equal to the difference between the compensation earned by
18 the employee during the 2023-2024 school year and the compensation
19 the employee should have received during that school year if the
20 district had complied with Subsection (a).

21 (k) Notwithstanding the minimum salary schedule under
22 Subsection (a), a school district that increases the amount a
23 classroom teacher, full-time librarian, full-time school counselor
24 certified under Subchapter B, or full-time school nurse is
25 compensated during the 2023-2024 school year by at least \$8,000
26 more than the amount the employee was compensated during the
27 2022-2023 school year complies with the requirements of this

1 section for the 2023-2024 school year.

2 (l) Subsections (i), (j), and (k) and this subsection expire
3 September 1, 2025.

4 SECTION 1.03. The heading to Section 21.403, Education
5 Code, is amended to read as follows:

6 Sec. 21.403. DETERMINATION OF YEARS OF EXPERIENCE
7 [PLACEMENT ON MINIMUM SALARY SCHEDULE].

8 SECTION 1.04. Sections 21.403(b) and (c), Education Code,
9 are amended to read as follows:

10 (b) For each year of work experience required for
11 certification in a career or technological field, up to a maximum of
12 two years, a certified career or technology education teacher is
13 entitled to ~~[salary step]~~ credit as if the work experience were
14 teaching experience.

15 (c) The commissioner shall adopt rules for determining the
16 experience for which a teacher, librarian, school counselor, or
17 nurse is to be given credit for purposes of the minimum salary
18 schedule under Section 21.402(a) ~~[in placing the teacher,~~
19 ~~librarian, school counselor, or nurse on the minimum salary~~
20 ~~schedule]~~. A district shall credit the teacher, librarian, school
21 counselor, or nurse for each year of experience without regard to
22 whether the years are consecutive.

23 SECTION 1.05. Section 21.4552(d), Education Code, is
24 amended to read as follows:

25 (d) From funds appropriated for that purpose, a teacher who
26 attends a literacy achievement academy is entitled to receive a
27 stipend in the amount determined by the commissioner. A stipend

1 received under this subsection is not considered in determining
2 whether a school district is paying the teacher the minimum
3 ~~monthly~~ salary under Section 21.402.

4 SECTION 1.06. Section 21.4553(d), Education Code, is
5 amended to read as follows:

6 (d) From funds appropriated for that purpose, a teacher who
7 attends a mathematics achievement academy is entitled to receive a
8 stipend in the amount determined by the commissioner. A stipend
9 received under this subsection is not considered in determining
10 whether a district is paying the teacher the minimum ~~monthly~~
11 salary under Section 21.402.

12 SECTION 1.07. Section 21.4555(f), Education Code, is
13 amended to read as follows:

14 (f) From funds available for that purpose, a teacher who
15 attends a civics training program may receive a stipend in an amount
16 determined by the commissioner. A stipend received under this
17 section is not included in determining whether a district is paying
18 the teacher the minimum ~~monthly~~ salary under Section 21.402.

19 SECTION 1.08. Section 30.102(b), Education Code, is amended
20 to read as follows:

21 (b) A classroom teacher, full-time librarian, full-time
22 school counselor certified under Subchapter B, Chapter 21, or
23 full-time school nurse employed by the department is entitled to
24 receive as a minimum salary the ~~monthly~~ salary specified by
25 Section 21.402. A classroom teacher, full-time librarian,
26 full-time school counselor, or full-time school nurse may be paid,
27 from funds appropriated to the department, a salary in excess of the

1 minimum specified by that section, but the salary may not exceed the
2 rate of pay for a similar position in the public schools of an
3 adjacent school district.

4 SECTION 1.09. Section 33.009(h), Education Code, is amended
5 to read as follows:

6 (h) From funds appropriated for that purpose, a school
7 counselor who attends the academy under this section is entitled to
8 receive a stipend in the amount determined by the coordinating
9 board. If funds are available after all eligible school counselors
10 have received a stipend under this subsection, the coordinating
11 board shall pay a stipend in the amount determined by the
12 coordinating board to a teacher who attends the academy under this
13 section. A stipend received under this subsection is not
14 considered in determining whether a district is paying the school
15 counselor or teacher the minimum [~~monthly~~] salary under Section
16 21.402.

17 SECTION 1.10. Subchapter A, Chapter 48, Education Code, is
18 amended by adding Section 48.0055 to read as follows:

19 Sec. 48.0055. ENROLLMENT-BASED FUNDING. The commissioner
20 by rule shall establish the method for determining average
21 enrollment for purposes of funding provided based on average
22 enrollment under Chapter 46 and this chapter.

23 SECTION 1.11. Section 48.051, Education Code, is amended by
24 amending Subsections (a) and (c) and adding Subsections (c-3) and
25 (c-4) to read as follows:

26 (a) For each student in average daily attendance, not
27 including the time students spend each day in special education

1 programs in an instructional arrangement other than mainstream or
 2 career and technology education programs, for which an additional
 3 allotment is made under Subchapter C, a district is entitled to an
 4 allotment equal to [~~the lesser of \$6,160 or~~] the amount that results
 5 from the following formula:

6
$$A = \underline{B} [\underline{\$6,160}] \times \text{TR/MCR}$$

7 where:

8 "A" is the allotment to which a district is entitled;

9 "B" is the base amount, which equals the greater of:

- 10 (1) \$6,210;
 11 (2) an amount equal to the district's base amount under
 12 this section for the preceding school year; or
 13 (3) the amount appropriated under Subsection (b);

14 "TR" is the district's tier one maintenance and operations
 15 tax rate, as provided by Section 45.0032; and

16 "MCR" is the district's maximum compressed tax rate, as
 17 determined under Section 48.2551.

18 (c) During any school year for which the value of "A"
 19 determined [~~maximum amount of the basic allotment provided~~] under
 20 Subsection (a) [~~or (b)~~] is greater than the value of "A" [~~maximum~~
 21 ~~amount provided~~] for the preceding school year, a school district
 22 must use at least 50 [~~30~~] percent of the amount [~~, if the amount is~~
 23 ~~greater than zero,~~] that equals the product of the average daily
 24 attendance of the district multiplied by the difference in the
 25 value of "A" [~~amount of the difference between the district's~~
 26 ~~funding under this chapter per student in average daily attendance~~]
 27 for the current school year and the value of "A" for the preceding

1 school year to increase the average total compensation per employee
2 employed by the district as [~~provide compensation increases to~~
3 ~~full-time district employees other than administrators as follows:~~

4 ~~[(1) 75 percent must be used to increase the~~
5 ~~compensation paid to]~~ classroom teachers, full-time librarians,
6 full-time school counselors certified under Subchapter B, Chapter
7 21, and full-time school nurses [~~, prioritizing differentiated~~
8 ~~compensation for classroom teachers with more than five years of~~
9 ~~experience; and~~

10 ~~[(2) 25 percent may be used as determined by the~~
11 ~~district to increase compensation paid to full-time district~~
12 ~~employees].~~ In calculating average total compensation per employee
13 under this subsection, a school district may not consider
14 compensation paid to a district employee employed in a position
15 described by this subsection added by the school district for the
16 current school year that increases the ratio of those employees to
17 the students enrolled in the district compared to the preceding
18 school year.

19 (c-3) If a school district increases employee compensation
20 in a school year to comply with Subsection (c), as amended by __.B.
21 ____, Acts of the 88th Legislature, Regular Session, 2023, the
22 district is providing compensation for services rendered
23 independently of an existing employment contract applicable to
24 that year and is not a violation of Section 53, Article III, Texas
25 Constitution.

26 (c-4) A school district that does not meet the requirements
27 of Subsection (c) during a school year may satisfy the requirements

1 of this section by providing an employee a one-time bonus payment
2 during the following school year in an amount equal to the
3 difference between the compensation earned by the employee and the
4 compensation the employee should have received during the school
5 year if the district had complied with Subsection (c).

6 SECTION 1.12. Section 48.101, Education Code, is amended to
7 read as follows:

8 Sec. 48.101. SMALL AND MID-SIZED DISTRICT ALLOTMENT. (a)
9 Small and mid-sized districts are entitled to an annual allotment
10 in accordance with this section. In this section:

11 (1) "AA" is the district's annual allotment per
12 student in average enrollment [~~daily attendance~~];

13 (2) "AE" [~~"ADA"~~] is the number of students in average
14 enrollment [~~daily attendance for which the district is entitled to~~
15 ~~an allotment under Section 48.051~~]; and

16 (3) "BA" is the basic allotment determined for a
17 student in average daily attendance under Section 48.051.

18 (b) A school district that has fewer than 1,600 students in
19 average enrollment [~~daily attendance~~] is entitled to an annual
20 allotment for each student in average enrollment [~~daily attendance~~]
21 based on the following formula:

22
$$AA = ((1,600 - \underline{AE} [\underline{ADA}]) \times \underline{\hspace{2cm}} [\underline{.0004}]) \times BA$$

23 (c) A school district that offers a kindergarten through
24 grade 12 program and has fewer [~~less~~] than 5,000 students in average
25 enrollment [~~daily attendance~~] is entitled to an annual allotment
26 for each student in average enrollment [~~daily attendance~~] based on
27 the formula, of the following formulas, that results in the

1 greatest annual allotment:

2 (1) the formula in Subsection (b), if the district is
3 eligible for that formula; or

4 (2) $AA = ((5,000 - \underline{AE [ADA]}) \times \underline{\hspace{2cm}} [\underline{-.000025}]) \times$
5 BA.

6 (d) Instead of the allotment under Subsection (b) or (c)(1),
7 a school district that has fewer than 300 students in average
8 enrollment [~~daily attendance~~] and is the only school district
9 located in and operating in a county is entitled to an annual
10 allotment for each student in average enrollment [~~daily attendance~~]
11 based on the following formula:

12 $AA = ((1,600 - \underline{AE [ADA]}) \times \underline{\hspace{2cm}} [\underline{-.00047}]) \times BA$

13 SECTION 1.13. Section 48.151(c), Education Code, is amended
14 to read as follows:

15 (c) Each district or county operating a regular
16 transportation system is entitled to an allotment based on a rate of \$1.54
17 per mile per regular eligible student or a greater rate set by
18 the legislature in the General Appropriations Act.

19 SECTION 1.14. Subchapter D, Chapter 48, Education Code, is
20 amended by adding Section 48.160 to read as follows:

21 Sec. 48.160. ALLOTMENT FOR ADVANCED MATHEMATICS PATHWAYS
22 AND CERTAIN PROGRAMS OF STUDY. (a) A school district is eligible
23 to receive an allotment under this section if the district offers
24 through in-person instruction, remote instruction, or a hybrid of
25 in-person and remote instruction:

26 (1) an advanced mathematics pathway that begins with
27 Algebra I in grade eight and continues through progressively more

1 advanced mathematics courses in each grade from grade 9 through 12;

2 (2) a program of study in:

3 (A) computer programming and software

4 development; or

5 (B) cybersecurity; and

6 (3) a program of study in a specialized skilled trade,

7 such as:

8 (A) plumbing and pipefitting;

9 (B) electrical;

10 (C) welding;

11 (D) diesel and heavy equipment;

12 (E) aviation maintenance; or

13 (F) applied agricultural engineering.

14 (b) Notwithstanding Subsection (a), a school district is
15 eligible for the allotment under this section for students enrolled
16 in a high school in the district that does not offer a program of
17 study described by Subsection (a)(2) or (3) if:

18 (1) high school students who reside in the attendance
19 zone of the high school may participate in the program of study by
20 enrolling in another high school:

21 (A) that:

22 (i) is in the same district or a neighboring
23 school district;

24 (ii) was assigned the same or a better
25 campus overall performance rating under Section 39.054 as the high
26 school in whose attendance zone the students reside; and

27 (iii) offers the program of study; and

1 (B) to and from which transportation is provided
2 for those students; or

3 (2) students enrolled in the high school:

4 (A) are offered instruction for the program of
5 study at another location, such as another high school in the same
6 district or a neighboring school district; and

7 (B) receive transportation to and from the
8 location described by Paragraph (A).

9 (c) An eligible school district is entitled to an annual
10 allotment of \$10 for each student enrolled at a high school in the
11 district that offers a pathway or program of study from each
12 subdivision described by Subsection (a) if:

13 (1) each student enrolled at the high school takes a
14 progressively more advanced mathematics course each year of
15 enrollment; and

16 (2) for each of those pathways or programs of study, at
17 least one student enrolled at the high school completes a course in
18 the pathway or program of study.

19 (d) A school district that receives an allotment under
20 Subsection (c) and Section 48.101 is entitled to receive an
21 additional allotment in an amount equal to the product of 0.1 and
22 the allotment to which the district is entitled under Section
23 48.101 for each student for which the district receives an
24 allotment under Subsection (c). An open-enrollment charter school
25 is not eligible for an allotment under this subsection.

26 (e) The commissioner by rule may establish requirements to
27 ensure students enrolled in a high school to which Subsection (b)

1 applies have meaningful access to the programs of study described
2 by Subsections (a)(2) and (3).

3 (f) The agency may reduce the amount of a school district's
4 allotment under this section if the agency determines that the
5 district has not complied with any provision of this section.

6 SECTION 1.15. Sections 48.277(d) and (e), Education Code,
7 are amended to read as follows:

8 (d) A school district or open-enrollment charter school is
9 not entitled to an allotment under Subsection (a) beginning with
10 the 2029-2030 [~~2024-2025~~] school year.

11 (e) This section expires September 1, 2030 [~~2025~~].

12 SECTION 1.16. Subchapter F, Chapter 48, Education Code, is
13 amended by adding Section 48.280 to read as follows:

14 Sec. 48.280. SALARY TRANSITION ALLOTMENT. (a) In the
15 2023-2024 and 2024-2025 school years, a school district is entitled
16 to receive an annual salary transition allotment equal to the
17 difference, if that amount is greater than zero, between:

18 (1) the amount calculated under Subsection (b); and

19 (2) the amount calculated under Subsection (c).

20 (b) The agency shall calculate a school district's value for
21 Subsection (a)(1) by determining the difference in the amount the
22 district must pay in compensation to employees on the minimum
23 salary schedule under Section 21.402, as amended by __.B. ____,
24 Acts of the 88th Legislature, Regular Session, 2023, from the
25 amount paid in compensation to employees on the minimum salary
26 schedule under that section as effective in the 2022-2023 school
27 year, less the difference between:

1 (1) the amount of employer contributions under Section
2 825.4035, Government Code, and Section 1575.203, Insurance Code,
3 the district paid in the 2022-2023 school year for employees on the
4 minimum salary schedule under Section 21.402; and

5 (2) the amount the district would have paid in
6 employer contributions under Section 825.4035, Government Code,
7 and Section 1575.203, Insurance Code, in the 2022-2023 school year
8 for employees on the minimum salary schedule if the changes made to
9 Section 21.402 by ___B. ____, Acts of the 88th Legislature, Regular
10 Session, 2023, had been in effect.

11 (c) The agency shall calculate a school district's value for
12 Subsection (a)(2) by determining the total maintenance and
13 operations revenue for the current school year less the total
14 maintenance and operations revenue that would have been available
15 to the district using the basic allotment formula provided by
16 Section 48.051 and the small and mid-sized allotment formulas
17 provided by Section 48.101 as those sections existed on January 1,
18 2023.

19 (d) Before making a final determination of the amount of an
20 allotment to which a school district is entitled under this
21 section, the agency shall ensure each school district has an
22 opportunity to review and submit revised information to the agency
23 for purposes of calculating the values under Subsection (a).

24 (e) A school district is entitled to an allotment in an
25 amount equal to:

26 (1) for the 2026-2027 school year, two-thirds of the
27 value determined under Subsection (a); and

1 (2) for the 2027-2028 school year, one-third of the
2 value determined under Subsection (a).

3 (f) A school district is not entitled to an allotment under
4 this section in the 2028-2029 school year or a later school year.

5 (g) This section expires September 1, 2029.

6 SECTION 1.17. The following provisions of the Education
7 Code are repealed:

8 (1) Sections 21.402(b), (c), (c-1), (f), and (h); and

9 (2) Sections 21.403(a) and (d).

10 SECTION 1.18. (a) Except as provided by Subsection (b) of
11 this section, this article takes effect immediately if this Act
12 receives a vote of two-thirds of all the members elected to each
13 house, as provided by Section 39, Article III, Texas Constitution.
14 If this Act does not receive the vote necessary for immediate
15 effect, the entirety of this article takes effect September 1,
16 2023.

17 (b) Sections 48.051, 48.101, 48.151(c), and 48.277(d) and
18 (e), Education Code, as amended by this article, and Sections
19 48.0055, 48.160, and 48.280, Education Code, as added by this
20 article, take effect September 1, 2023.

21 ARTICLE 2. CHANGES EFFECTIVE FOR 2024-2025 SCHOOL YEAR

22 SECTION 2.01. Section 46.003(a), Education Code, is amended
23 to read as follows:

24 (a) For each year, except as provided by Sections 46.005 and
25 46.006, a school district is guaranteed a specified amount per
26 student in state and local funds for each cent of tax effort, up to
27 the maximum rate under Subsection (b), to pay the principal of and

1 interest on eligible bonds issued to construct, acquire, renovate,
 2 or improve an instructional facility. The amount of state support
 3 is determined by the formula:

$$4 \quad \text{FYA} = (\text{FYL} \times \text{AE} [\text{ADA}] \times \text{BTR} \times 100) - (\text{BTR} \times (\text{DPV}/100))$$

5 where:

6 "FYA" is the guaranteed facilities yield amount of state
 7 funds allocated to the district for the year;

8 "FYL" is the dollar amount guaranteed level of state and
 9 local funds per student per cent of tax effort, which is \$35 or a
 10 greater amount for any year provided by appropriation;

11 "AE" [~~"ADA"~~] is the greater of the number of students in
 12 average enrollment [~~daily attendance~~], as determined under Section
 13 48.0055 [~~48.005~~], in the district or 400;

14 "BTR" is the district's bond tax rate for the current year,
 15 which is determined by dividing the amount budgeted by the district
 16 for payment of eligible bonds by the quotient of the district's
 17 taxable value of property as determined under Subchapter M, Chapter
 18 403, Government Code, or, if applicable, Section 48.258, divided by
 19 100; and

20 "DPV" is the district's taxable value of property as
 21 determined under Subchapter M, Chapter 403, Government Code, or, if
 22 applicable, Section 48.258.

23 SECTION 2.02. Section 46.005, Education Code, is amended to
 24 read as follows:

25 Sec. 46.005. LIMITATION ON GUARANTEED AMOUNT. The
 26 guaranteed amount of state and local funds for a new project that a
 27 district may be awarded in any state fiscal biennium under Section

1 46.003 for a school district may not exceed the lesser of:

2 (1) the amount the actual debt service payments the
3 district makes in the biennium in which the bonds are issued; or

4 (2) the greater of:

5 (A) \$100,000; or

6 (B) the product of the number of students in
7 average enrollment [~~daily attendance~~] in the district multiplied by
8 \$250.

9 SECTION 2.03. Section 46.006(g), Education Code, is amended
10 to read as follows:

11 (g) In this section, "wealth per student" means a school
12 district's taxable value of property as determined under Subchapter
13 M, Chapter 403, Government Code, or, if applicable, Section 48.258,
14 divided by the district's average enrollment [~~daily attendance~~] as
15 determined under Section 48.0055 [~~48.005~~].

16 SECTION 2.04. Section 46.032(a), Education Code, is amended
17 to read as follows:

18 (a) Each school district is guaranteed a specified amount
19 per student in state and local funds for each cent of tax effort to
20 pay the principal of and interest on eligible bonds. The amount of
21 state support, subject only to the maximum amount under Section
22 46.034, is determined by the formula:

23
$$EDA = (EDGL \times \underline{AE} [\del{ADA}] \times EDTR \times 100) - (EDTR \times (DPV/100))$$

24 where:

25 "EDA" is the amount of state funds to be allocated to the
26 district for assistance with existing debt;

27 "EDGL" is the dollar amount guaranteed level of state and

1 local funds per student per cent of tax effort, which is the lesser
2 of:

3 (1) \$40 or a greater amount for any year provided by
4 appropriation; or

5 (2) the amount that would result in a total additional
6 amount of state funds under this subchapter for the current year
7 equal to \$60 million in excess of the state funds to which school
8 districts would have been entitled under this section if the
9 guaranteed level amount were \$35;

10 "AE" [~~"ADA"~~] is the number of students in average enrollment
11 [~~daily attendance~~], as determined under Section 48.0055 [~~48.005~~],
12 in the district;

13 "EDTR" is the existing debt tax rate of the district, which is
14 determined by dividing the amount budgeted by the district for
15 payment of eligible bonds by the quotient of the district's taxable
16 value of property as determined under Subchapter M, Chapter 403,
17 Government Code, or, if applicable, under Section 48.258, divided
18 by 100; and

19 "DPV" is the district's taxable value of property as
20 determined under Subchapter M, Chapter 403, Government Code, or, if
21 applicable, under Section 48.258.

22 SECTION 2.05. Section 48.051(a), Education Code, is amended
23 to read as follows:

24 (a) For each student in average daily attendance, not
25 including the time students spend each day in special education
26 programs in an instructional arrangement other than mainstream [~~or~~
27 ~~career and technology education programs~~], for which an additional

1 allotment is made under Subchapter C, a district is entitled to an
2 allotment equal to [~~the lesser of \$6,160 or~~] the amount that results
3 from the following formula:

4
$$A = \underline{B} [\underline{\$6,160}] \times \text{TR/MCR}$$

5 where:

6 "A" is the allotment to which a district is entitled;

7 "B" is the base amount, which equals the greater of:

8 (1) \$6,210;

9 (2) an amount equal to the district's base amount under
10 this section for the preceding school year; or

11 (3) the amount appropriated under Subsection (b);

12 "TR" is the district's tier one maintenance and operations
13 tax rate, as provided by Section 45.0032; and

14 "MCR" is the district's maximum compressed tax rate, as
15 determined under Section 48.2551.

16 SECTION 2.06. Sections 48.104(a), (d), and (e), Education
17 Code, are amended to read as follows:

18 (a) For each student who does not have a disability and
19 resides in a residential placement facility in a district in which
20 the student's parent or legal guardian does not reside, a district
21 is entitled to an annual allotment equal to the basic allotment
22 multiplied by 0.2 or, if the student is educationally
23 disadvantaged, 0.2755 [~~0.275~~]. For each full-time equivalent
24 student who is in a remedial and support program under Section
25 29.081 because the student is pregnant, a district is entitled to an
26 annual allotment equal to the basic allotment multiplied by 2.41.

27 (d) The weights assigned to the five tiers of the index

1 established under Subsection (c) are, from least to most severe
2 economic disadvantage, 0.2255 [~~0.225~~], 0.238 [~~0.2375~~], 0.2505
3 [~~0.25~~], 0.263 [~~0.2625~~], and 0.2755 [~~0.275~~].

4 (e) If insufficient data is available for any school year to
5 evaluate the level of economic disadvantage in a census block
6 group, a school district is entitled to an annual allotment equal to
7 the basic allotment multiplied by 0.2255 [~~0.225~~] for each student
8 who is educationally disadvantaged and resides in that census block
9 group.

10 SECTION 2.07. Section 48.105(a), Education Code, is amended
11 to read as follows:

12 (a) For each student in average enrollment [~~daily~~
13 ~~attendance~~] in a bilingual education or special language program
14 under Subchapter B, Chapter 29, a district is entitled to an annual
15 allotment equal to the basic allotment multiplied by:

16 (1) for an emergent bilingual student, as defined by
17 Section 29.052:

18 (A) 0.1; or

19 (B) 0.15 if the student is in a bilingual
20 education program using a dual language immersion/one-way or
21 two-way program model; and

22 (2) for a student not described by Subdivision (1),
23 0.05 if the student is in a bilingual education program using a dual
24 language immersion/two-way program model.

25 SECTION 2.08. Sections 48.106(a) and (a-1), Education Code,
26 are amended to read as follows:

27 (a) For each [~~full-time equivalent~~] student in average

1 enrollment [~~daily attendance~~] in an approved career and technology
2 education program in grades 7 through 12, a district is entitled to
3 an annual allotment equal to the basic allotment[7] or, if
4 applicable, the sum of the basic allotment and the allotment under
5 Section 48.101 to which the district is entitled, multiplied by:

6 (1) ____ [~~1.1~~] for a [~~full-time equivalent~~] student in
7 career and technology education courses not in an approved program
8 of study;

9 (2) ____ [~~1.28~~] for a [~~full-time equivalent~~] student
10 in levels one and two career and technology education courses in an
11 approved program of study, as identified by the agency; and

12 (3) ____ [~~1.47~~] for a [~~full-time equivalent~~] student
13 in levels three and four career and technology education courses in
14 an approved program of study, as identified by the agency.

15 (a-1) In addition to the amounts under Subsection (a), for
16 each student in average enrollment [~~daily attendance~~], a district
17 is entitled to \$50 for each of the following in which the student is
18 enrolled:

19 (1) a campus designated as a P-TECH school under
20 Section 29.556; or

21 (2) a campus that is a member of the New Tech Network
22 and that focuses on project-based learning and work-based
23 education.

24 SECTION 2.09. Section 48.107(a), Education Code, is amended
25 to read as follows:

26 (a) Except as provided by Subsection (b), for each student
27 in average enrollment [~~daily attendance~~] who is using a public

1 education grant under Subchapter G, Chapter 29, to attend school in
2 a district other than the district in which the student resides, the
3 district in which the student attends school is entitled to an
4 annual allotment equal to the basic allotment multiplied by a
5 weight of 0.1.

6 SECTION 2.10. Section 48.108(a), Education Code, is amended
7 to read as follows:

8 (a) For each student in average enrollment [~~daily~~
9 ~~attendance~~] in kindergarten through third grade, a school district
10 is entitled to an annual allotment equal to the basic allotment
11 multiplied by 0.1 if the student is:

- 12 (1) educationally disadvantaged; or
13 (2) an emergent bilingual student, as defined by
14 Section 29.052, and is in a bilingual education or special language
15 program under Subchapter B, Chapter 29.

16 SECTION 2.11. Section 48.109(c), Education Code, is amended
17 to read as follows:

18 (c) Not more than five percent of a district's students in
19 average enrollment [~~daily attendance~~] are eligible for funding
20 under this section.

21 SECTION 2.12. Section 48.153, Education Code, is amended to
22 read as follows:

23 Sec. 48.153. DROPOUT RECOVERY SCHOOL AND RESIDENTIAL
24 PLACEMENT FACILITY ALLOTMENT. A school district or open-enrollment
25 charter school is entitled to \$275 for each student in average
26 enrollment [~~daily attendance~~] who:

- 27 (1) resides in a residential placement facility; or

1 (2) is at a district or school or a campus of the
2 district or school that is designated as a dropout recovery school
3 under Section [39.0548](#).

4 SECTION 2.13. Section [48.106\(b\)\(2\)](#), Education Code, is
5 repealed.

6 SECTION 2.14. This article takes effect September 1, 2024.