

By: Dutton

H.B. No. 2923

Substitute the following for H.B. No. 2923:

By: Buckley

C.S.H.B. No. 2923

A BILL TO BE ENTITLED

AN ACT

relating to the operation of free prekindergarten programs by certain school districts and to the early education allotment under the Foundation School Program.

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

SECTION 1. Section 29.153, Education Code, is amended by adding Subsections (d-3), (d-4), and (d-5) to read as follows:

(d-3) A school district shall contract with a community-based child-care provider described by Subsection (g) to provide a prekindergarten class required under this section if the commissioner determines that:

(1) a district election for the purpose of issuing bonds for the construction or repurposing of a classroom facility to provide the prekindergarten class has failed in the 24 months preceding the determination; or

(2) the district is unable to adequately staff the prekindergarten class.

(d-4) The commissioner may waive the requirement under Subsection (d-3) if the commissioner determines that a community-based child-care provider described by Subsection (g) is not located in the boundaries of the district.

(d-5) Notwithstanding any other provision of this chapter, the commissioner shall interpret Subsection (d-3) to the broadest extent possible to encourage partnerships between school districts

and community-based child-care providers described by Subsection (g).

SECTION 2. Section 48.108, Education Code, is amended by adding Subsections (a-1), (a-2), (a-3), and (a-4) to read as follows:

(a-1) In addition to the allotment under Subsection (a) and subject to Subsection (a-2), a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.2 for each student in average daily attendance enrolled in a prekindergarten class provided through a contract with a community-based child-care provider under Section 29.153.

(a-2) The total number of students in average daily attendance statewide for whom an allotment may be provided under Subsection (a-1) for a school year may not exceed 10,000 students in average daily attendance. If the number of students in average daily attendance for whom a school district is entitled to an allotment under this section exceeds the maximum number provided by this subsection, the commissioner shall allocate the allotments to school districts under this section in accordance with commissioner rule.

(a-3) Notwithstanding Subsection (a-2), the maximum number of students in average daily attendance statewide for whom an allotment may be provided under Subsection (a-1) for a school year is:

(1) for the 2024-2025 school year, 2,000 students;

(2) for the 2025-2026 school year, 4,500 students; and

(3) for the 2026-2027 school year, 7,000 students.

1 (a-4) Subsection (a-3) and this subsection expire September
2 1, 2027.

3 SECTION 3. Sections 29.153(d-3), (d-4), and (d-5),
4 Education Code, as added by this Act, apply beginning with the
5 2023-2024 school year.

6 SECTION 4. (a) Except as provided by Subsection (b) of this
7 section:

8 (1) this Act takes effect immediately if it receives a
9 vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution; and

11 (2) if this Act does not receive the vote necessary for
12 immediate effect, this Act takes effect September 1, 2023.

13 (b) Sections 48.108(a-1), (a-2), (a-3), and (a-4),
14 Education Code, as added by this Act, take effect September 1, 2024.