By: Hinojosa H.B. No. 4586

A BILL TO BE ENTITLED

AN ACT

relating to the basic allotment and guaranteed yield under the Foundation School Program and compensation increases for public school employees.

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

SECTION 1. Section 48.051, Education Code, is amended by amending Subsections (a), (c), and (c-1) and adding Subsections (a-1), (c-3), and (c-4) to read as follows:

(a) Subject to adjustment under Subsection (a-1), for [~~For~~] each student in average daily attendance, not including the time students spend each day in special education programs in an instructional arrangement other than mainstream or career and technology education programs, for which an additional allotment is made under Subchapter C, a district is entitled to an allotment equal to the lesser of $7,075 [~~$6,160~~] or the amount that results from the following formula:

A = $7,075 [~~$6,160~~] X TR/MCR

where:

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

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

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

(a-1) Beginning with the 2024-2025 school year, the basic

allotment provided to a district under Subsection (a) or (b) is adjusted annually to increase the allotment by the amount that results from applying the inflation rate, as determined by the comptroller on the basis of changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor, to the allotment for the preceding school year.

(c) During any school year for which the maximum amount of the basic allotment provided under Subsection (a), (a-1), or (b) is greater than the maximum amount provided for the preceding school year, a school district must use at least 75 [~~30~~] percent of the amount, if the amount is greater than zero, that equals the product of the average daily attendance of the district multiplied by the amount of the difference between the district's funding under this chapter per student in average daily attendance for the current school year and the preceding school year to provide compensation increases to full-time district employees other than administrators as follows:

(1) 50 [~~75~~] percent must be used to increase the compensation paid to classroom teachers, full-time librarians, full-time school counselors certified under Subchapter B, Chapter 21, and full-time school nurses, prioritizing differentiated compensation for classroom teachers with more than five years of experience; and

(2) 25 percent must [~~may~~] be used [~~as determined by the district~~] to increase compensation paid to [~~full-time~~] district employees other than employees described by Subdivision (1).

(c-1) A school district employee who received a salary or wage increase under this section [~~Subsection (c) from a school district~~] for the 2023-2024 [~~2019-2020~~] school year is, as long as the employee remains employed by the same school district and the district is receiving at least the same amount of funding as the amount of funding the district received for the 2023-2024 [~~2019-2020~~] school year, entitled to salary or wages that is at least equal to the salary or wages the employee received for the 2023-2024 [~~2019-2020~~] school year. [~~This subsection does not apply if the board of trustees of the school district at which the employee is employed:~~

[~~(1) complies with Sections 21.4021, 21.4022, and 21.4032 in reducing the employee's salary; and~~

[~~(2) has adopted a resolution declaring a financial exigency for the district under Section 44.011.~~]

(c-3) Notwithstanding Subsection (c), for the 2023-2024 school year, a school district shall use at least 75 percent of the amount that equals the product of the average daily attendance of the district multiplied by the amount of the difference between the district's funding under this chapter per student in average daily attendance for the 2023-2024 school year and the 2022-2023 school year to provide compensation increases to full-time district employees other than administrators as follows:

(1) 50 percent must be used to increase the salary paid to each classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, Chapter 21, and full-time school nurse employed by the district in the 2022-2023 school year

by:

(A) at least $10,000; or

(B) if the amount that a district must allocate to provide the salary increases under this subdivision is insufficient to provide the increase described by Paragraph (A), the maximum amount by which the district may equally increase the salary of each classroom teacher, full-time librarian, full-time school counselor certified under Subchapter B, Chapter 21, and full-time school nurse employed by the district in the 2022-2023 school year; and

(2) 25 percent must be used to increase the salary or wages of each district employee other than an employee described by Subdivision (1) employed by the district in the 2022-2023 school year by:

(A) at least 15 percent; or

(B) if the amount that a district must allocate to provide the salary or wage increases under this subdivision is insufficient to provide the increase described by Paragraph (A), the maximum percentage increase that may be applied equally to increase the salary or wages of each district employee other than an employee described by Subdivision (1) employed by the district in the 2022-2023 school year.

(c-4) Subsection (c-3) and this subsection expire September 1, 2024.

SECTION 2. Section 48.202(a-1), Education Code, is amended to read as follows:

(a-1) For purposes of Subsection (a), the dollar amount

guaranteed level of state and local funds per weighted student per cent of tax effort ("GL") for a school district is:

(1) the greater of the amount of district tax revenue per weighted student per cent of tax effort available to a school district at the 96th percentile of wealth per weighted student or the amount that results from multiplying 7,075 [~~6,160~~], or the greater amount provided under Section 48.051(a-1) or (b) [~~48.051(b)~~], if applicable, by 0.016, for the first eight cents by which the district's maintenance and operations tax rate exceeds the district's tier one tax rate; and

(2) subject to Subsection (f), the amount that results from multiplying $7,075 [~~$6,160~~], or the greater amount provided under Section 48.051(a-1) or (b) [~~48.051(b)~~], if applicable, by 0.008, for the district's maintenance and operations tax effort that exceeds the amount of tax effort described by Subdivision (1).

SECTION 3. This Act takes effect September 1, 2023.