

By: Hinojosa

S.B. No. 2312

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the commissioner of education to resolve unintended consequences from school finance formulas.

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

SECTION 1. Section 48.011, Education Code, is amended to read as follows:

(a) Subject to Subsections (b) and (d), the commissioner may adjust a school district's funding entitlement under this chapter if the funding formulas used to determine the district's entitlement result in an unanticipated loss or gain for a district.

(a-1) The commissioner may modify dates relating to the adoption of a school district's maintenance and operations tax rate and, if applicable, an election required for the district to adopt that rate as necessary to implement the changes made by H.B. 3, 86th Legislature, Regular Session, 2019.

(b) Before making an adjustment under Subsection (a) or (a-1), the commissioner shall notify and must receive approval from the Legislative Budget Board and the office of the governor.

(c) If the commissioner makes an adjustment under Subsection (a), the commissioner must provide to the legislature an explanation regarding the changes necessary to resolve the unintended consequences.

(d) Beginning with the [~~2021-2022~~] 2023-2024 school year, the commissioner may not make an adjustment under Subsection (a) or

1 (a-1).

2 (e) This section expires September 1, [~~2023~~] 2025.

3 SECTION 2. The changes enacted by this Act apply beginning  
4 with the 2023-2024 school year.

5 SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2023.