

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

April 12, 2023

**TO:** Honorable Brandon Creighton, Chair, Senate Committee on Education

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB2497** by Middleton (Relating to the bilingual education allotment under the public school finance system.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB2497, As Introduced : a negative impact of (\$55,210,672) through the biennium ending August 31, 2025.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to <i>General Revenue Related Funds</i>
2024	(\$27,036,614)
2025	(\$28,174,058)
2026	(\$28,228,609)
2027	(\$28,343,899)
2028	(\$28,563,991)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Savings/(Cost) from <i>Foundation School Fund</i> 193	Probable Savings/(Cost) from <i>Recapture Payments Atten</i> <i>Crdts</i> 8905
2024	(\$18,568)	(\$27,018,046)	\$9,258,326
2025	(\$55,704)	(\$28,118,354)	\$9,189,546
2026	\$0	(\$28,228,609)	\$9,227,413
2027	\$0	(\$28,343,899)	\$9,431,324
2028	\$0	(\$28,563,991)	\$9,445,190

Fiscal Analysis

The bill would allow all bilingual programs and special language programs (ESL) to generate the Bilingual Education Allotment (BEA) and would allow all dual language immersion programs to generate the additional allotment for emergent bilingual students and non-emergent bilingual students under an exception.

Methodology

The Texas Education Agency (TEA) assumes that 80,000 students participating in an alternative language

education program would be funded under this bill at a cost of \$27.0 million in fiscal year 2024, \$28.1 million in fiscal year 2025, increasing to \$28.6 million in fiscal year 2028. The cost would include a decrease in Recapture Payments - Attendance Credits of \$9.3 million in fiscal year 2024, \$9.2 million in fiscal year 2025, increasing to \$9.4 million in fiscal year 2028. The decrease in recapture is reflected as a savings in the table above because recapture is appropriated as a method of finance for the FSP in the General Appropriations Act.

**Technology**

The agency assumes there would be technological costs associated with implementing the bill and estimate that this amount would be \$18,568 in fiscal year 2024 and \$55,704 in fiscal year 2025.

**Local Government Impact**

Local Education Agencies (LEAs) would need to report the Alternative Language Education Method for a teacher where the LEA has received an approved Bilingual or ESL waiver from TEA. The agency assumes that there would not be a large fiscal impact to LEAs to change the student information system coding. The LEAs would receive additional funding for students served in a dual language immersion/one-way or two-way program model where there is an approved waiver under this bill. The agency assumes that LEAs would need to apply for a waiver for these types of programs when there is not a certified teacher.

**Source Agencies:** 701 Texas Education Agency

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