

By: Cain

H.B. No. 62

A BILL TO BE ENTITLED

AN ACT

relating to reducing school district maintenance and operations ad  
valorem taxes through the use of certain surplus state revenue.

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

SECTION 1. Section 48.255, Education Code, is amended by  
amending Subsection (b) and adding Subsections (d) and (e) to read  
as follows:

(b) Subject to Subsection (d), the ~~[The]~~ state compression  
percentage is the lower of:

(1) 93 percent, or a lower percentage set by  
appropriation for a school year;

(2) the percentage determined by the following  
formula:

$$SCP = PYCP \times 1.025 / (1 + ECPV); \text{ or}$$

(3) the percentage determined under this section for  
the preceding school year.

(d) For each school year, the commissioner shall reduce the  
state compression percentage determined under Subsection (b) to the  
lowest percentage possible as a result of:

(1) money deposited to the credit of the property tax  
relief fund under Section 403.109(e), Government Code; and

(2) any additional money appropriated for purposes of  
this subsection.

(e) Notwithstanding any other law, if for any school year

1 the commissioner determines under Subsection (b) or (d) that the  
2 state compression percentage is zero:

3 (1) a school district may not impose a tier one  
4 maintenance and operations tax for that school year or for any  
5 subsequent school year; and

6 (2) each school district is entitled to funding under  
7 Chapter 46 and this chapter for each school year as if the district  
8 had:

9 (A) a tier one maintenance and operations tax  
10 rate equal to the district's maximum compressed tax rate determined  
11 under Section 48.2551; and

12 (B) no local share for purposes of Section  
13 48.256.

14 SECTION 2. Section 403.109, Government Code, is amended by  
15 adding Subsections (e) and (f) to read as follows:

16 (e) For each state fiscal biennium beginning before a  
17 determination by the commissioner of education under Section  
18 48.255(e), Education Code, the comptroller shall:

19 (1) allocate for deposit to the credit of the fund  
20 general revenue in an amount equal to 90 percent of the amount by  
21 which the amount of general revenue received in that biennium  
22 exceeds the amount of consolidated general revenue appropriations,  
23 as defined by Section 316.001, that could be appropriated within  
24 the limit on the rate of growth of those appropriations adopted  
25 under Section 316.005 for that biennium; and

26 (2) periodically deposit to the credit of the fund the  
27 general revenue allocated under Subdivision (1), with the final

1 deposit for that biennium to be made not later than the 90th day of  
2 the next state fiscal biennium.

3 (f) Notwithstanding any other provision of this section,  
4 and except as otherwise provided by this subsection, money  
5 deposited to the credit of the fund under Subsection (e) may be  
6 appropriated only to the Texas Education Agency for use in  
7 providing property tax relief through reduction of the state  
8 compression percentage, as defined by Section 48.255, Education  
9 Code. If the amount of money available to be appropriated under  
10 this subsection for a state fiscal biennium exceeds the amount of  
11 school district maintenance and operations taxes the commissioner  
12 of education estimates to be payable for that biennium, the surplus  
13 amount may be appropriated for any purpose.

14 SECTION 3. This Act applies beginning with the state fiscal  
15 biennium beginning September 1, 2027.

16 SECTION 4. This Act takes effect on the 91st day after the  
17 last day of the legislative session.