

HB 1264, Huberty (Reporting students with dyslexia)

Caption: relating to information regarding the number of public school students with dyslexia.

Summary:

The bill requires the reporting of the number of students with dyslexia through PEIMS.

Effective Date: immediate effect.

1 AN ACT
2 relating to information regarding the number of public school
3 students with dyslexia.

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

5 SECTION 1. Section 42.006, Education Code, is amended by
6 adding Subsection (a-1) to read as follows:

7 (a-1) The commissioner by rule shall require each school
8 district and open-enrollment charter school to report through the
9 Public Education Information Management System information
10 regarding the number of students enrolled in the district or school
11 who are identified as having dyslexia. The agency shall maintain
12 the information provided in accordance with this subsection.

13 SECTION 2. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 1264 was passed by the House on April 3, 2013, by the following vote: Yeas 139, Nays 8, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1264 was passed by the Senate on May 15, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

SB 758, Williams (Foundation School Program payment schedule)

Caption: relating to the established schedule of payments from the foundation school fund of the yearly entitlement of certain school districts.

Summary:

Restores August payments from the Foundation School fund to category 2 and Category 3 school districts effective with 2013.

Effective Date: Immediate effect.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

February 25, 2013

TO: Honorable Tommy Williams, Chair, Senate Committee On Finance

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB758 by Williams (Relating to the established schedule of payments from the foundation school fund of the yearly entitlement of certain school districts.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for SB758, As Introduced: a negative impact of (\$1,750,000,000) through the biennium ending August 31, 2013.

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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2013	(\$1,750,000,000)
2014	\$0
2015	\$0
2016	\$0
2017	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from Foundation School Fund 193
2013	(\$1,750,000,000)
2014	\$0
2015	\$0
2016	\$0
2017	\$0

Fiscal Analysis

The bill would amend the statutory schedule of payments to school districts through the Foundation School Program (FSP) to reverse the deferral of the payment of the final installment of school district entitlement in a given fiscal year to the following September.

The bill could take effect immediately with the required voting margins or on the 91st day after the last day of the Eighty-third legislative session otherwise.

Methodology

The bill would result in an additional monthly FSP payment in fiscal year 2013 compared to current law at an estimated cost of \$1,750,000,000 from General Revenue Funds (Foundation School Fund No. 193) in fiscal year 2013.

Local Government Impact

School districts scheduled to receive the final installment of FSP entitlement for fiscal year 2013 in September of fiscal year 2014 under current law would receive that payment in August of fiscal year 2013 under the provisions of the bill. All future payments of the final installment of FSP entitlement in a fiscal year deferred to September under current law would be made in August of the fiscal year from which it was deferred.

Source Agencies:

LBB Staff: UP, KK, SD, JSc

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AN ACT

relating to the established schedule of payments from the foundation school fund of the yearly entitlement of certain school districts.

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

SECTION 1. Section 42.259, Education Code, is amended by amending Subsections (c), (d), and (f) and adding Subsections (c-1) and (d-1) to read as follows:

(c) Payments from the foundation school fund to each category 2 school district shall be made as follows:

- (1) 22 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of September of a fiscal year;
- (2) 18 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of October;
- (3) 9.5 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of November;
- (4) 7.5 percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the 25th day of April;
- (5) five percent of the yearly entitlement of the district shall be paid in an installment to be made on or before the

1 25th day of May;

2 (6) 10 percent of the yearly entitlement of the
3 district shall be paid in an installment to be made on or before the
4 25th day of June;

5 (7) 13 percent of the yearly entitlement of the
6 district shall be paid in an installment to be made on or before the
7 25th day of July; and

8 (8) 15 percent of the yearly entitlement of the
9 district shall be paid in an installment to be made on or before the
10 25th day of August [~~after the 5th day of September and not later~~
11 ~~than the 10th day of September of the calendar year following the~~
12 ~~calendar year of the payment made under Subdivision (1)].~~

13 (c-1) Notwithstanding Subsection (c)(8), for the state
14 fiscal year ending August 31, 2013, the installment described by
15 that subdivision shall be paid on or before the 30th day of August,
16 2013. This subsection expires August 31, 2013.

17 (d) Payments from the foundation school fund to each
18 category 3 school district shall be made as follows:

19 (1) 45 percent of the yearly entitlement of the
20 district shall be paid in an installment to be made on or before the
21 25th day of September of a fiscal year;

22 (2) 35 percent of the yearly entitlement of the
23 district shall be paid in an installment to be made on or before the
24 25th day of October; and

25 (3) 20 percent of the yearly entitlement of the
26 district shall be paid in an installment to be made on or before the
27 25th day of August [~~after the 5th day of September and not later~~

1 ~~than the 10th day of September of the calendar year following the~~
2 ~~calendar year of the payment made under Subdivision (1)].~~

3 (d-1) Notwithstanding Subsection (d)(3), for the state
4 fiscal year ending August 31, 2013, the installment described by
5 that subdivision shall be paid on or before the 30th day of August,
6 2013. This subsection expires August 31, 2013.

7 (f) Previously [~~Except as provided by Subsection (c)(8) or~~
8 ~~(d)(3), any previously]~~ unpaid additional funds from prior fiscal
9 years owed to a district shall be paid to the district together with
10 the September payment of the current fiscal year entitlement.

11 SECTION 2. Subsection (c), Section 466.355, Government
12 Code, is amended to read as follows:

13 (c) Each August the comptroller shall:

14 (1) estimate the amount to be transferred to the
15 foundation school fund on or before September 15; and

16 (2) notwithstanding Subsection (b)(4), transfer the
17 amount estimated in Subdivision (1) to the foundation school fund
18 before August installment payments are made under Section 42.259,
19 Education Code [25].

20 SECTION 3. The changes made by this Act to Section 42.259,
21 Education Code, apply only to a payment from the foundation school
22 fund that is made on or after the effective date of this Act. A
23 payment to a school district from the foundation school fund that is
24 made before that date is governed by Section 42.259, Education
25 Code, as it existed before amendment by this Act, and the former law
26 is continued in effect for that purpose.

27 SECTION 4. This Act takes effect immediately if it receives

S.B. No. 758

1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect on the 91st day after the last day of the
5 legislative session.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 758 passed the Senate on
March 5, 2013, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 758 passed the House on
May 20, 2013, by the following vote: Yeas 144, Nays 0, one
present not voting.

Chief Clerk of the House

Approved:

Date

Governor

SB 1142, Duncan (Charter school pilot program for adult high school diploma and industry certification)

Caption: relating to an adult high school diploma and industry certification charter school pilot program for adults 19 to 50 years of age.

Summary:

Directs the commissioner to establish a pilot program of a single charter school to provide an adult education program for up to 150 individuals. The non-profit entity granted the charter must commit at least \$1 million to the project. The non-profit may partner with a community college to provide career and tech courses that lead to industry certification. For students who are at least 19 but under age 26, funding is provided through the Foundation School Program. Funding for older students is by separate appropriation.

Effective Date: September 1, 2013

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 7, 2013

TO: Honorable Jimmie Don Aycock, Chair, House Committee on Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **SB1142** by Duncan (Relating to an adult high school diploma and industry certification charter school pilot program for adults 19 to 50 years of age.), **Committee Report 2nd House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB1142, Committee Report 2nd House, Substituted: a negative impact of (\$1,600,000) through the biennium ending August 31, 2015.

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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$500,000)
2015	(\$1,100,000)
2016	(\$1,100,000)
2017	(\$1,100,000)
2018	(\$1,100,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from Foundation School Fund 193
2014	(\$500,000)
2015	(\$1,100,000)
2016	(\$1,100,000)
2017	(\$1,100,000)
2018	(\$1,100,000)

Fiscal Analysis

The bill would establish an adult high school diploma and industry certification pilot program and

would authorize the State Board of Education to grant one open-enrollment charter in excess of the statutory cap for the purpose of providing the program. The charter would be granted to a non-profit entity meeting certain criteria described by the bill, including demonstrated success in providing similar services and a financial commitment of at least \$1,000,000. The bill would require that the program offer courses to complete high school curriculum requirements and career and technology education (CTE) courses leading to industry certifications.

The bill would require the Texas Education Agency to adopt a secondary exit-level assessment instrument suitable for adult education participants.

Eligible participants would include persons aged 19 to 50 who have earned neither a high school diploma nor a high school equivalency certificate. Enrollment would be limited to 150 participants per year.

The program would be eligible for funding equivalent to the statewide average amount of state funding per student in weighted average daily attendance (WADA) in an open-enrollment charter school earned through the Foundation School Program (FSP) for participants aged 26 and older. For participants aged 19 to 26, the charter would be eligible for funding through the Foundation School Program.

The bill would require the Texas Education Agency to evaluate the program and report the results of the evaluation to the Governor, the Lieutenant Governor, the Speaker of the House, and the presiding officer of each standing committee of the legislature with primary jurisdiction over education in December of each even-numbered year.

Methodology

Based on the limitation in the bill, it is assumed that the charter school created under the provisions of the bill would enroll 150 students and would begin providing instruction in the second half of FY2014. For purposes of this estimate, to satisfy the dual purposes of the program of providing coursework required to earn a high school diploma and providing CTE courses leading to industry certification, enrolled students are assumed to spend 2/3 of their instructional time on CTE courses. For purposes of estimating FSP or FSP-equivalent cost for students below age 26 and above age 26 respectively, costs per student are based on average costs in the FSP for a student described above.

Based on these parameters, the state cost is estimated at \$500,000 in FY2014 and \$1.1 million in each subsequent year.

TEA assumes that it could adopt an appropriate exit-level assessment at minimal cost to comply with the provisions of the bill.

The bill is not expected to result in significant fiscal impact for the Office of the Governor or the Comptroller of Public Accounts.

Local Government Impact

A qualifying non-profit entity could be granted a charter to operate an adult high school diploma and industry certification charter school pilot program under the provisions of the bill. The charter would be eligible for FSP funding or FSP-equivalent funding based on the population of eligible students served.

Source Agencies: 701 Central Education Agency, 301 Office of the Governor, 304
Comptroller of Public Accounts

LBB Staff: UP, JBi, JSc, SDE

1 AN ACT
2 relating to an adult high school diploma and industry certification
3 charter school pilot program for adults 19 to 50 years of age.

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

5 SECTION 1. Subchapter H, Chapter 29, Education Code, is
6 amended by adding Section 29.259 to read as follows:

7 Sec. 29.259. ADULT HIGH SCHOOL DIPLOMA AND INDUSTRY
8 CERTIFICATION CHARTER SCHOOL PILOT PROGRAM. (a) In this section,
9 "adult education" means services and instruction provided below the
10 college level for adults by a nonprofit entity described by
11 Subsection (e).

12 (b) The commissioner shall establish an adult high school
13 diploma and industry certification charter school pilot program as
14 provided by this section as a strategy for meeting industry needs
15 for a sufficiently trained workforce within the state.

16 (c) The agency shall adopt and administer a standardized
17 secondary exit-level assessment instrument appropriate for
18 assessing adult education program participants who successfully
19 complete high school curriculum requirements under a program
20 provided under this section. The commissioner shall determine the
21 level of performance considered to be satisfactory on the secondary
22 exit-level assessment instrument for receipt of a high school
23 diploma by an adult education program participant in a program
24 provided under this section.

1 (d) Notwithstanding any other law and in addition to the
2 number of charters allowed under Subchapter D, Chapter 12, a
3 charter under the pilot program may, on the basis of an application
4 submitted, be granted to a single nonprofit entity described by
5 Subsection (e) to provide an adult education program for not more
6 than 150 individuals described by Subsection (g) to successfully
7 complete:

8 (1) a high school program that can lead to a diploma;
9 and

10 (2) career and technology education courses that can
11 lead to industry certification.

12 (e) A nonprofit entity may be granted a charter under this
13 section only if the entity:

14 (1) has a successful history of providing education
15 services, including industry certifications and job placement
16 services, to adults 18 years of age and older whose educational and
17 training opportunities have been limited by educational
18 disadvantages, disabilities, homelessness, criminal history, or
19 similar circumstances; and

20 (2) agrees to commit at least \$1 million to the adult
21 education program offered.

22 (f) A nonprofit entity granted a charter under this section
23 may partner with a public junior college to provide career and
24 technology courses that lead to industry certification.

25 (g) A person who is at least 19 years of age and not more
26 than 50 years of age is eligible to enroll in the adult education
27 program under this section if the person has not earned a high

1 school equivalency certificate and:

2 (1) has failed to complete the curriculum requirements
3 for high school graduation; or

4 (2) has failed to perform satisfactorily on an
5 assessment instrument required for high school graduation.

6 (h) The nonprofit entity must include in its charter
7 application the information required by Subsection (i).

8 (i) A charter granted under this section must:

9 (1) include a description of the adult education
10 program to be offered under this section; and

11 (2) establish specific, objective standards for
12 receiving a high school diploma, including satisfactory
13 performance on the standardized secondary exit-level assessment
14 instrument described by Subsection (c).

15 (j) Funding for an adult education program under this
16 section is provided based on the following:

17 (1) for participants who are 26 years of age and older,
18 an amount per participant from available general revenue funds
19 appropriated for the pilot program equal to the statewide average
20 amount of state funding per student in weighted average daily
21 attendance that would be allocated under the Foundation School
22 Program to an open-enrollment charter school under Section 12.106
23 were the student under 26 years of age; and

24 (2) for participants who are at least 19 years of age
25 and under 26 years of age, an amount per participant through the
26 Foundation School Program equal to the amount of state funding per
27 student in weighted average daily attendance that would be

1 allocated under the Foundation School Program for the student's
2 attendance at an open-enrollment charter school in accordance with
3 Section 12.106.

4 (k) Sections 12.107 and 12.128 apply as though funds under
5 this section were funds under Subchapter D, Chapter 12.

6 (l) Not later than December 1 of each even-numbered year,
7 beginning December 1, 2016, the agency shall prepare and deliver to
8 the governor, lieutenant governor, speaker of the house of
9 representatives, and presiding officer of each standing
10 legislative committee with primary jurisdiction over public
11 education or economic development a report that:

12 (1) evaluates any adult education program operated
13 under a charter granted under this section; and

14 (2) makes recommendations regarding the abolition,
15 continuation, or expansion of the pilot program.

16 (m) The commissioner shall adopt rules necessary to
17 administer the pilot program under this section. In adopting
18 rules, the commissioner may modify charter school requirements only
19 to the extent necessary for the administration of a charter school
20 under this section that provides for adult education.

21 SECTION 2. Subsection (a), Section 42.003, Education Code,
22 is amended to read as follows:

23 (a) A student is entitled to the benefits of the Foundation
24 School Program if, on September 1 of the school year, the student:

25 (1) is 5 years of age or older and under 21 years of age
26 and has not graduated from high school, or is at least 21 years of
27 age and under 26 years of age and has been admitted by a school

1 district to complete the requirements for a high school diploma; or
2 (2) is at least 19 years of age and under 26 years of
3 age and is enrolled in an adult high school diploma and industry
4 certification charter school pilot program under Section 29.259.

5 SECTION 3. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1142 passed the Senate on April 10, 2013, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 16, 2013, by the following vote: Yeas 29, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1142 passed the House, with amendment, on May 10, 2013, by the following vote: Yeas 99, Nays 36, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor

SB 1556, Seliger (School safety certification and School Safety Task Force)

Caption: relating to the establishment of a school safety certification program and the School Safety Task Force.

Summary:

Directs the Texas School Safety Center to develop a school safety certification program. The certificate would be awarded to school districts that develop multihazard operations plans that include measures and training, as well as conducting drills. Also establishes a school safety task force to make recommendations to the legislature, the Texas School Safety Center, and the governor's office of homeland security. The bill makes a conforming change in the requirements to consider security criteria developed by the school safety center when constructing a school facility funded in part by the Instructional Facilities Allotment.

Effective Date: Immediate effect.

1 AN ACT
2 relating to the establishment of a school safety certification
3 program and the School Safety Task Force.

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

5 SECTION 1. Subchapter D, Chapter 37, Education Code, is
6 amended by adding Sections 37.1081 and 37.1082 to read as follows:

7 Sec. 37.1081. SCHOOL SAFETY CERTIFICATION PROGRAM.

8 (a) The Texas School Safety Center, in consultation with the
9 School Safety Task Force established under Section 37.1082, shall
10 develop a school safety certification program.

11 (b) The Texas School Safety Center shall award a school
12 safety certificate to a school district that:

13 (1) has adopted and implemented a multihazard
14 emergency operations plan as required under Section 37.108 and that
15 includes in that plan:

16 (A) measures for security of facilities and
17 grounds;

18 (B) measures for communication with parents and
19 the media in the event of an emergency; and

20 (C) an outline of safety training for school
21 employees;

22 (2) demonstrates to the center with current written
23 self-audit processes that the district conducts at least one drill
24 per year for each of the following types of drills:

- 1 (A) a school lockdown drill;
- 2 (B) an evacuation drill;
- 3 (C) a weather-related emergency drill;
- 4 (D) a reverse evacuation drill; and
- 5 (E) a shelter-in-place drill;

6 (3) is in compliance with Sections 37.108(b) and (c);
7 and

8 (4) meets any other eligibility criteria as
9 recommended by the School Safety Task Force.

10 (c) The certification program is abolished and this section
11 expires September 1, 2017.

12 Sec. 37.1082. SCHOOL SAFETY TASK FORCE. (a) The School
13 Safety Task Force is established to:

14 (1) study, on an ongoing basis, best practices for
15 school multihazard emergency operations planning; and

16 (2) based on those studies, make recommendations to
17 the legislature, the Texas School Safety Center, and the governor's
18 office of homeland security.

19 (b) The task force is composed of:

20 (1) the chief of the Texas Division of Emergency
21 Management, or the chief's designee;

22 (2) the training director of the Advanced Law
23 Enforcement Rapid Response Training Center at Texas State
24 University--San Marcos, or the training director's designee;

25 (3) the chairperson of the Texas School Safety Center,
26 or the chairperson's designee; and

27 (4) the agency director of the Texas A&M Engineering

1 Extension Service, or the agency director's designee.

2 (c) The chief of the Texas Division of Emergency Management,
3 or the chief's designee, shall serve as the presiding officer of the
4 task force.

5 (d) A member of the task force is not entitled to
6 compensation for service on the task force but is entitled to
7 reimbursement for actual and necessary expenses incurred in
8 performing task force duties.

9 (e) In performing the task force's duties under this section
10 for schools, the task force shall consult with and consider
11 recommendations from school district and school personnel,
12 including school safety personnel and educators, and from first
13 responders, emergency managers, local officials, representatives
14 of appropriate nonprofit organizations, and other interested
15 parties with knowledge and experience concerning school emergency
16 operations planning.

17 (f) Not later than September 1 of each even-numbered year,
18 the task force shall prepare and submit to the legislature a report
19 concerning the results of the task force's most recent study,
20 including any recommendations for statutory changes the task force
21 considers necessary or appropriate to improve school multihazard
22 emergency operations.

23 (g) The task force is abolished and this section expires
24 September 1, 2017.

25 SECTION 2. Section 46.0081, Education Code, is amended to
26 read as follows:

27 Sec. 46.0081. SECURITY CRITERIA IN DESIGN OF INSTRUCTIONAL

1 FACILITIES. A school district that constructs a new instructional
2 facility or conducts a major renovation of an existing
3 instructional facility using funds allotted to the district under
4 this subchapter shall consider, in the design of the instructional
5 facility, appropriate security criteria [~~developed by the Texas~~
6 ~~School Safety Center under Section 37.2051~~].

7 SECTION 3. Section 37.2051, Education Code, is repealed.

8 SECTION 4. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1556 passed the Senate on April 25, 2013, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendments on May 21, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1556 passed the House, with amendments, on May 17, 2013, by the following vote: Yeas 135, Nays 5, three present not voting.

Chief Clerk of the House

Approved:

Date

Governor

SB 1658, Paxton (Recapture)

Caption: relating to the effect of certain state aid on school districts required to take action to equalize wealth under the school finance system.

Summary:

Allows a district to exchange any state aid it is due for any recapture amount owed. Current law limits this exchange to just the Additional State Aid for Tax Reduction (ASATR).

Effective Date: Immediate effect.

1 AN ACT
2 relating to the effect of certain state aid on school districts
3 required to take action to equalize wealth under the school finance
4 system.

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

6 SECTION 1. The heading to Section 41.0041, Education Code,
7 is amended to read as follows:

8 Sec. 41.0041. EFFECT OF ~~[ADDITIONAL]~~ STATE AID ~~[FOR TAX~~
9 ~~REDUCTION]~~.

10 SECTION 2. Subsections (b), (c), and (d), Section 41.0041,
11 Education Code, are amended to read as follows:

12 (b) When the commissioner initially identifies a school
13 district under Section 41.004 as having a wealth per student for a
14 school year that exceeds the equalized wealth level, the
15 commissioner shall estimate:

16 (1) the amount of state revenue to which the district
17 is entitled under Chapter 42 ~~[Section 42.2516]~~ for that school
18 year; and

19 (2) the cost to the district to purchase attendance
20 credits under Subchapter D in an amount sufficient to reduce the
21 district's wealth per student to the equalized wealth level for
22 that school year.

23 (c) If the commissioner determines that the amount
24 described by Subsection (b)(1) exceeds the amount described by

1 Subsection (b)(2), the commissioner shall notify the district of
2 the commissioner's determination. In lieu of exercising an option
3 described by Section 41.003, the district's board of trustees may
4 authorize the commissioner to withhold from the state revenue to
5 which the district is entitled under Chapter 42 [~~Section 42.2516~~]
6 an amount equal to the amount described by Subsection (b)(2).

7 (d) In calculating the amount of state revenue to be
8 withheld from a school district under this section, the
9 commissioner shall calculate the cost for the district to reduce
10 the district's wealth per student to the equalized wealth level
11 using the final attendance and tax rate data for the school year and
12 shall award the district any available credit or discount under
13 Subchapter D as if the district had exercised the option under
14 Section 41.003(3) in a timely manner. If the final amount
15 calculated for the cost for the district to reduce the district's
16 wealth per student to the equalized wealth level for a school year
17 exceeds the amount of state revenue to which the district is
18 entitled under Chapter 42 [~~Section 42.2516~~] for that year:

19 (1) the commissioner shall:

20 (A) withhold the entire amount of state revenue
21 to which the district is entitled under Chapter 42 [~~Section~~
22 ~~42.2516~~] for that year; and

23 (B) withhold the additional amount of the cost
24 for the district to reduce the district's wealth per student to the
25 equalized wealth level for that year from the state revenue to which
26 the district is entitled under Chapter 42 [~~Section 42.2516~~] for a
27 subsequent school year, or if the additional amount exceeds the

1 amount of state revenue to which the district is entitled, add the
2 difference to the cost of the attendance credits that the district
3 must purchase in the subsequent year; and

4 (2) the district is not required to take any further
5 action to reduce its wealth per student for that year.

6 SECTION 3. Subsection (a), Section 57.32, Chapter 4 (S.B.
7 1), Acts of the 82nd Legislature, 1st Called Session, 2011, is
8 amended to read as follows:

9 (a) Effective September 1, 2017, the following provisions
10 of the Education Code are repealed:

- 11 (1) [~~Section 41.0041,~~
12 [~~2~~] Subsections (b), (b-1), (b-2), (c), (d), (e),
13 (f), (f-1), (f-2), (f-3), and (i), Section 42.2516;
14 (2) [~~3~~] Section 42.25161;
15 (3) [~~4~~] Subsection (c), Section 42.2523;
16 (4) [~~5~~] Subsection (g), Section 42.2524;
17 (5) [~~6~~] Subsection (c-1), Section 42.253; and
18 (6) [~~7~~] Section 42.261.

19 SECTION 4. This Act takes effect September 1, 2013.

S.B. No. 1658

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1658 passed the Senate on April 25, 2013, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1658 passed the House on May 22, 2013, by the following vote: Yeas 148, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor