

1-1 By: VanDeaver, et al. (Senate Sponsor - Eltife) H.B. No. 1474  
 1-2 (In the Senate - Received from the House May 6, 2015;  
 1-3 May 7, 2015, read first time and referred to Committee on  
 1-4 Education; May 21, 2015, reported favorably by the following vote:  
 1-5 Yeas 10, Nays 0; May 21, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor of Galveston	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Garcia	X			
1-12 Huffines	X			
1-13 Kolkhorst			X	
1-14 Rodríguez	X			
1-15 Seliger	X			
1-16 Taylor of Collin	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the placement of money in the state instructional  
 1-22 materials fund and payment of the instructional materials  
 1-23 allotment.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Sections 31.0211(a) and (d), Education Code, are  
 1-26 amended to read as follows:

1-27 (a) A school district is entitled to an ~~annual~~ allotment  
 1-28 each biennium from the state instructional materials fund for each  
 1-29 student enrolled in the district on a date during the last year of  
 1-30 the preceding biennium ~~[school year]~~ specified by the  
 1-31 commissioner. The commissioner shall determine the amount of the  
 1-32 allotment per student each biennium ~~[year]~~ on the basis of the  
 1-33 amount of money available in the state instructional materials fund  
 1-34 to fund the allotment. An allotment under this section shall be  
 1-35 transferred from the state instructional materials fund to the  
 1-36 credit of the district's instructional materials account as  
 1-37 provided by Section 31.0212.

1-38 (d) Each biennium ~~[year]~~ a school district shall use the  
 1-39 district's allotment under this section to purchase, in the  
 1-40 following order:

1-41 (1) instructional materials necessary to permit the  
 1-42 district to certify that the district has instructional materials  
 1-43 that cover all elements of the essential knowledge and skills of the  
 1-44 required curriculum, other than physical education, for each grade  
 1-45 level as required by Section 28.002; and

1-46 (2) any other instructional materials or  
 1-47 technological equipment as determined by the district.

1-48 SECTION 2. Section 31.0212(a), Education Code, is amended  
 1-49 to read as follows:

1-50 (a) The commissioner shall maintain an instructional  
 1-51 materials account for each school district. In the first year of  
 1-52 each biennium ~~[Each school year]~~, the commissioner shall deposit in  
 1-53 the account for each district the amount of the district's  
 1-54 instructional materials allotment under Section 31.0211.

1-55 SECTION 3. Sections 31.0215(a) and (b), Education Code, are  
 1-56 amended to read as follows:

1-57 (a) The commissioner shall, as early as practicable during  
 1-58 each biennium ~~[fiscal year]~~, notify each school district and  
 1-59 open-enrollment charter school of the estimated amount to which the  
 1-60 district or charter school will be entitled under Section 31.0211  
 1-61 during the next fiscal biennium ~~[year]~~.

2-1 (b) The commissioner may allow a school district or  
2-2 open-enrollment charter school to place an order for instructional  
2-3 materials before the beginning of a fiscal biennium [~~year~~] and to  
2-4 receive instructional materials before payment. The commissioner  
2-5 shall limit the cost of an order placed under this section to 80  
2-6 percent of the estimated amount to which a school district or  
2-7 open-enrollment charter school is estimated to be entitled as  
2-8 provided by Subsection (a) and shall first credit any balance in a  
2-9 district or charter school instructional materials account to pay  
2-10 for an order placed under this section.

2-11 SECTION 4. Section 43.001(d), Education Code, is amended to  
2-12 read as follows:

2-13 (d) Each biennium [~~year~~] the State Board of Education shall  
2-14 set aside an amount equal to 50 percent of the [~~annual~~] distribution  
2-15 for that biennium [~~year~~] from the permanent school fund to the  
2-16 available school fund as provided by Section 5(a), Article VII,  
2-17 Texas Constitution, to be placed, subject to the General  
2-18 Appropriations Act, in the state instructional materials fund  
2-19 established under Section 31.021.

2-20 SECTION 5. Section 403.093(d), Government Code, is amended  
2-21 to read as follows:

2-22 (d) The comptroller shall transfer from the general revenue  
2-23 fund to the foundation school fund an amount of money necessary to  
2-24 fund the foundation school program as provided by Chapter 42,  
2-25 Education Code. The comptroller shall make the transfers in  
2-26 installments as necessary to comply with Section 42.259, Education  
2-27 Code, and permit the Texas Education Agency, to the extent  
2-28 authorized by the General Appropriations Act, to make temporary  
2-29 transfers from the foundation school fund for payment of the  
2-30 instructional materials allotment under Section 31.0211, Education  
2-31 Code. Unless an earlier date is necessary for purposes of temporary  
2-32 transfers for payment of the instructional materials allotment, an  
2-33 [An] installment must be made not earlier than two days before the  
2-34 date an installment to school districts is required by Section  
2-35 42.259, Education Code, and must not exceed the amount necessary  
2-36 for that payment and any temporary transfers for payment of the  
2-37 instructional materials allotment.

2-38 SECTION 6. This Act takes effect September 1, 2015.

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