

1-1 By: Anchia (Senate Sponsor - Hancock) H.B. No. 2251  
 1-2 (In the Senate - Received from the House May 18, 2015;  
 1-3 May 18, 2015, read first time and referred to Committee on  
 1-4 Education; May 22, 2015, reported favorably by the following vote:  
 1-5 Yeas 10, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			
1-18	X			

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

1-21 relating to an established schedule of payments from the foundation  
 1-22 school fund of the yearly entitlement of certain open-enrollment  
 1-23 charter schools.

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

1-25 SECTION 1. Subchapter E, Chapter 42, Education Code, is  
 1-26 amended by adding Section 42.2591 to read as follows:

1-27 Sec. 42.2591. FOUNDATION SCHOOL FUND TRANSFERS TO CERTAIN  
 1-28 CHARTER SCHOOLS. (a) On the request of an open-enrollment charter  
 1-29 school, the commissioner shall compare the student enrollment of  
 1-30 the open-enrollment charter school for the current school year to  
 1-31 the student enrollment of the school during the preceding school  
 1-32 year. If the number of students enrolled at the open-enrollment  
 1-33 charter school for the current school year has increased by 10  
 1-34 percent or more from the number of students enrolled during the  
 1-35 preceding school year, the open-enrollment charter school may  
 1-36 request that payments from the foundation school fund to the school  
 1-37 for the following school year and each subsequent school year,  
 1-38 subject to Subsection (b), be made according to the schedule  
 1-39 provided under Subsection (c).

1-40 (b) An open-enrollment charter school that qualifies to  
 1-41 receive funding as provided by this section is entitled to receive  
 1-42 funding in that manner for three school years. On the expiration of  
 1-43 that period, the commissioner shall determine the eligibility of  
 1-44 the open-enrollment charter school to continue receiving payments  
 1-45 from the foundation school fund under this section for an  
 1-46 additional three school years. Subsequently, the open-enrollment  
 1-47 charter school must reestablish eligibility in the manner provided  
 1-48 by this subsection every three school years.

1-49 (c) Payments from the foundation school fund to an  
 1-50 open-enrollment charter school under this section shall be made as  
 1-51 follows:

1-52 (1) 22 percent of the yearly entitlement of the school  
 1-53 shall be paid in an installment to be made on or before the 25th day  
 1-54 of September of a fiscal year;

1-55 (2) 18 percent of the yearly entitlement of the school  
 1-56 shall be paid in an installment to be made on or before the 25th day  
 1-57 of October;

1-58 (3) 9.5 percent of the yearly entitlement of the  
 1-59 school shall be paid in an installment to be made on or before the  
 1-60 25th day of November;

1-61 (4) four percent of the yearly entitlement of the

2-1 school shall be paid in an installment to be made on or before the  
 2-2 25th day of December;

2-3 (5) four percent of the yearly entitlement of the  
 2-4 school shall be paid in an installment to be made on or before the  
 2-5 25th day of January;

2-6 (6) four percent of the yearly entitlement of the  
 2-7 school shall be paid in an installment to be made on or before the  
 2-8 25th day of February;

2-9 (7) four percent of the yearly entitlement of the  
 2-10 school shall be paid in an installment to be made on or before the  
 2-11 25th day of March;

2-12 (8) 7.5 percent of the yearly entitlement of the  
 2-13 school shall be paid in an installment to be made on or before the  
 2-14 25th day of April;

2-15 (9) five percent of the yearly entitlement of the  
 2-16 school shall be paid in an installment to be made on or before the  
 2-17 25th day of May;

2-18 (10) seven percent of the yearly entitlement of the  
 2-19 school shall be paid in an installment to be made on or before the  
 2-20 25th day of June;

2-21 (11) seven percent of the yearly entitlement of the  
 2-22 school shall be paid in an installment to be made on or before the  
 2-23 25th day of July; and

2-24 (12) eight percent of the yearly entitlement of the  
 2-25 school shall be paid in an installment to be made on or before the  
 2-26 25th day of August.

2-27 (d) The amount of any installment required by this section  
 2-28 may be modified to provide an open-enrollment charter school with  
 2-29 the proper amount to which the school may be entitled by law and to  
 2-30 correct errors in the allocation or distribution of funds.

2-31 (e) Previously unpaid additional funds from prior fiscal  
 2-32 years owed to an open-enrollment charter school shall be paid to the  
 2-33 school together with the September payment of the current fiscal  
 2-34 year entitlement.

2-35 SECTION 2. (a) Section 42.2591, Education Code, as added by  
 2-36 this Act, applies only to a payment from the foundation school fund  
 2-37 that is made on or after September 1, 2015. A payment to an  
 2-38 open-enrollment charter school from the foundation school fund that  
 2-39 is made before September 1, 2015, is governed by the law in effect  
 2-40 on the date the payment was made, and the former law is continued in  
 2-41 effect for that purpose.

2-42 (b) The commissioner of education shall determine the  
 2-43 eligibility of an open-enrollment charter school to receive  
 2-44 payments under Section 42.2591, Education Code, as added by this  
 2-45 Act, for the 2015-2016 school year based on the growth in the  
 2-46 school's enrollment between the 2013-2014 and 2014-2015 school  
 2-47 years.

2-48 SECTION 3. This Act takes effect immediately if it receives  
 2-49 a vote of two-thirds of all the members elected to each house, as  
 2-50 provided by Section 39, Article III, Texas Constitution. If this  
 2-51 Act does not receive the vote necessary for immediate effect, this  
 2-52 Act takes effect September 1, 2015.

2-53 \* \* \* \* \*