

By: Peña

H.B. No. 4106

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to state savings and government efficiency achieved  
3 through a taxpayer savings grant program administered by the  
4 comptroller of public accounts.

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

6 SECTION 1. Section 42.253, Education Code, is amended by  
7 adding Subsection (b-1) to read as follows:

8 (b-1) Notwithstanding Subsection (b), the commissioner  
9 shall adjust enrollment estimates and entitlement for each school  
10 district for each school year based on information provided by the  
11 comptroller under Section 42.501(f). This subsection expires  
12 September 1, 2020.

13 SECTION 2. Chapter 42, Education Code, is amended by adding  
14 Subchapter J to read as follows:

15 SUBCHAPTER J. TAXPAYER SAVINGS GRANTS

16 Sec. 42.501. TAXPAYER SAVINGS GRANT PROGRAM. (a) In this  
17 section, "eligible student" means a school-age child who resides in  
18 the state and who:

19 (1) is entering kindergarten or first grade;

20 (2) attended a public school for all of the academic  
21 year immediately preceding initial participation in the Taxpayer  
22 Savings Grant Program; or

23 (3) participated in the program in a preceding  
24 academic year.

1       (b) A parent or legal guardian of an eligible student who  
2 agrees to accept reimbursement in an amount that is less than the  
3 state average maintenance and operations expenditures per student  
4 may receive reimbursement from the state for the tuition paid for  
5 the enrollment of the eligible student at a private school in an  
6 amount that is the lesser of:

7               (1) the tuition paid; or

8               (2) 60 percent of the state average maintenance and  
9 operations expenditures per student.

10       (c) Money from the available school fund and federal funds  
11 may not be used for reimbursement under this section.

12       (d) A private school voluntarily selected by a parent for  
13 the parent's child to attend, with or without governmental  
14 assistance, may not be required to comply with any state law or rule  
15 governing the school's educational program that was not in effect  
16 on January 1, 2015.

17       (e) The comptroller shall administer the program and  
18 provide reimbursement to a parent or legal guardian of an eligible  
19 student as authorized by this section.

20       (f) Not later than October 1 of each year, the comptroller  
21 shall notify the commissioner and the Legislative Budget Board of  
22 the number of eligible students likely to participate in the  
23 program, disaggregated by the school district or open-enrollment  
24 charter school the eligible students would otherwise attend. Not  
25 later than March 1 of each year, the comptroller shall provide final  
26 information to the commissioner and the Legislative Budget Board  
27 regarding the number of students participating in the program,

1 disaggregated in the same manner as the initial information.

2           SECTION 3. As soon as practicable, but not later than  
3 October 15, 2015, the comptroller, in coordination with the  
4 commissioner of education, shall adopt rules to implement the  
5 Taxpayer Savings Grant Program under Section 42.501, Education  
6 Code, as added by this Act, including rules to prevent fraud in  
7 financial transactions under the program and to determine the net  
8 savings resulting from implementation of the program. The rules  
9 must require reconciliation of payments for all grants within the  
10 same fiscal year or within the first month following the end of the  
11 fiscal year.

12           SECTION 4. This Act takes effect September 1, 2015.