

SENATE JOURNAL

EIGHTY-SIXTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-EIGHTH DAY

(Continued)

(Monday, May 6, 2019)

AFTER RECESS

The Senate met at 11:10 a.m. and was called to order by the President.

Pastor James Shamburger, First Baptist Church, Victoria, was introduced by Senator Kolkhorst and offered the invocation as follows:

Thank You, Lord, first of all, that we still have the privilege of beginning our Senate session with a word of prayer. Thank You for Senator Kolkhorst and for all of our Senators who are willing to serve Texas as leaders for You. Lord, please give our leaders Your wisdom as they seek to do the best for the people of Texas. In Jesus' name. Amen.

SENATOR ANNOUNCED PRESENT

Senator Lucio, who had previously been recorded as "Absent-excused," was announced "Present."

PHYSICIAN OF THE DAY

Senator Flores was recognized and presented Dr. Janey Wang of Helotes, accompanied by Renee del Carmen, as the Physician of the Day.

The Senate welcomed Dr. Wang and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

AT EASE

The President at 11:19 a.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 12:12 p.m. called the Senate to order as In Legislative Session.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

HB 81, HB 114, HB 278, HB 302, HB 476, HB 547, HB 793, HB 1241, HB 1409, HB 1518, HB 1802, HB 1953, HB 1995, HB 2016, HB 2153, HB 2223, HB 2263, HB 2641, HB 2675, HB 2714, HB 3226, HCR 152, HCR 163, HCR 165.

**SENATE RULE 2.02 SUSPENDED
(Restrictions on Admission)
(Motion In Writing)**

Senator Hughes offered the following Motion In Writing:

Mr. President:

I move suspension of the Senate's admission rules to allow two employees from the Texas Education Agency, Von Byer and Leo Lopez, access to the floor outside the rail during deliberations on House Bill 3.

HUGHES

The Motion In Writing was read and prevailed without objection.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Monday, May 6, 2019 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 148 White
Relating to the issuance of specialty license plates to honor Polish Americans in Texas.

HB 170 Bernal
Relating to coverage for mammography under certain health benefit plans.

HB 295 Cain
Relating to designating March 30 as Master Sergeant Jonathan J. Dunbar Day.

HB 356 Lang
Relating to the repeal of a statute allowing the county attorney or commissioners court of Brown County to accept gifts or grants to finance or assist the operation of the office of county attorney.

HB 487 Deshotel
Relating to the issuance of specialty license plates for justices of the peace.

HB 554 Thompson, Senfronia
Relating to temporary orders during the pendency of an appeal in a suit affecting the parent-child relationship.

- HB 555** Thompson, Senfronia
Relating to certain rights of the sole managing conservator of a child in relation to the child's passport.
- HB 643** Raney
Relating to the location at which an application for a disabled parking placard may be made.
- HB 644** VanDeaver
Relating to the regulation of cottage food production operations.
- HB 653** Neave
Relating to voluntary contributions to the evidence testing grant program made when applying for a corrected or duplicate driver's license, commercial driver's license, or personal identification certificate.
- HB 706** Bernal
Relating to the eligibility of certain children who are deaf or hard of hearing for audiology services under the school health and related services program.
- HB 714** Lucio III
Relating to a reemployment program available to certain veterans placed on community supervision for a misdemeanor offense.
- HB 864** Anchia
Relating to pipeline incidents; clarifying changes to related administrative penalties.
- HB 866** Anchia
Relating to the installation, removal, and replacement of certain gas pipelines; clarifying changes to related administrative penalties.
- HB 884** Raney
Relating to the designation of a portion of Business State Highway 6-R in Brazos County as the Carolyn and John David Crow Memorial Parkway.
- HB 911** Huberty
Relating to the creation and functions of the Lake Houston Watershed Commission.
- HB 956** Miller
Relating to the dissolution of county assistance districts.
- HB 1025** Bohac
Relating to candidacy for and membership on the board of certain property owners' associations.
- HB 1130** Hinojosa
Relating to the issuance of Register to Vote specialty license plates.
- HB 1239** Parker
Relating to a study by the Teacher Retirement System of Texas regarding the use of health reimbursement accounts in conjunction with certain Medicare plans to provide health benefit coverage for certain retired school employees.
- HB 1263** Thompson, Ed
Relating to an order by a drainage district to maintain certain infrastructure.

- HB 1313** King, Phil
Relating to the authority of the chief appraiser of an appraisal district to increase the appraised value of property in the tax year following the year in which the appraised value of the property is lowered as a result of a protest or appeal.
- HB 1351** Cortez
Relating to the confidentiality of certain information concerning service members of the United States armed forces and the state military forces.
- HB 1396** Harless
Relating to the eligibility of certain persons to serve on the board of a property owners' association.
- HB 1505** Martinez
Relating to the recording of a criminal offense of transporting household goods without registration in a driving record.
- HB 1524** Shaheen
Relating to correcting outdated references to the Texas Building and Procurement Commission.
- HB 1526** Bell, Cecil
Relating to the treatment of a nursery stock weather protection unit as an implement of husbandry for ad valorem tax purposes.
- HB 1552** Paul
Relating to the weapons proficiency of and the carrying of a handgun by qualified retired law enforcement officers.
- HB 1561** Meyer
Relating to authorizing a waiver of certain state park fees for certain children.
- HB 1614** Oliverson
Relating to the operation of the Texas Title Insurance Guaranty Association.
- HB 1633** Kuempel
Relating to the imposition and rate of the county hotel occupancy tax in certain counties; authorizing the imposition of a tax.
- HB 1634** Kuempel
Relating to the imposition and rate of the county hotel occupancy tax in certain counties; authorizing the imposition of a tax.
- HB 1640** Martinez
Relating to establishing a pilot program to employ a life skills counselor at public high school campuses in certain counties.
- HB 1652** Huberty
Relating to the public resale by means of a public auction using online bidding and sale of property purchased by a taxing unit at an ad valorem tax sale.
- HB 1683** Shaheen
Relating to abolishing the regulation of orthotic and prosthetic technicians.
- HB 1684** Shaheen
Relating to the posting of a boiler's certificate of operation.

- HB 1731** Davis, Yvonne
Relating to the payment for funeral services performed by a transferring funeral home under a purchase agreement for funeral services or merchandise.
- HB 1749** Wray
Relating to the requirements for a junior college district to receive approval from the Texas Higher Education Coordinating Board to offer baccalaureate degree programs.
- HB 1758** White
Relating to a grant program and interagency review of resources to support and sustain recovery community organizations.
- HB 1780** Miller
Relating to the mandatory dismissal date of certain suits affecting the parent-child relationship involving the Department of Family and Protective Services.
- HB 1789** Tinderholt
Relating to the authority of certain local governmental entities to enter into an agreement to create a mutual aid law enforcement task force.
- HB 1869** Klick
Relating to the composition of the Governor's EMS and Trauma Advisory Council.
- HB 1884** Minjarez
Relating to the information provided to relative and other designated caregivers of children in the conservatorship of the Department of Family and Protective Services.
- HB 1899** Bonnen, Greg
Relating to the revocation or denial of certain health care professional licenses and the reporting of the grounds for revocation or denial.
- HB 1901** Bonnen, Greg
Relating to the disclosure of certain mental health records of deceased state hospital patients.
- HB 1909** Moody
Relating to the criminal jurisdiction of magistrates appointed by the El Paso Council of Judges.
- HB 1932** Thierry
Relating to the inclusion of catastrophic debris management in county emergency management programs.
- HB 2001** Leach
Relating to leave for state employees who are volunteers of certain disaster relief organizations.
- HB 2018** Thierry
Relating to required notice for municipal management districts that annex or exclude territory.
- HB 2043** Meza
Relating to the designation of State Highway 356 in Irving as a historic highway.
- HB 2065** Lucio III
Relating to the use of general revenue appropriations for the artificial reef program.

- HB 2075** Neave
Relating to the form of a candidate's name on a ballot.
- HB 2091** Ortega
Relating to the use of promotoras and community health workers in Medicaid managed care.
- HB 2092** Guillen
Relating to the issuance of a personal identification certificate to a person whose driver's license has been surrendered.
- HB 2102** Capriglione
Relating to the payment of insurance deductibles related to property insurance policies; creating criminal offenses.
- HB 2112** Thompson, Ed
Relating to salvage motor vehicles, including flood vehicles, and nonrepairable motor vehicles.
- HB 2172** Thompson, Senfronia
Relating to grounds for refusal of certain alcoholic beverage licenses and permits.
- HB 2175** Leman
Relating to the threshold contract amount at which a county is required to engage in a competitive purchasing procedure for certain purchases.
- HB 2199** King, Tracy O.
Relating to the use of municipal hotel occupancy tax revenue in certain municipalities.
- HB 2229** Johnson, Jarvis
Relating to a report of information concerning juvenile offenders committed to the Texas Juvenile Justice Department who have been in foster care.
- HB 2240** Murphy
Relating to the payment of wages by an employer through a payroll card account.
- HB 2256** Sanford
Relating to procedures for tax auditing, determining amounts of overpayments, and obtaining reimbursements of overpayments of gas production taxes.
- HB 2272** Guillen
Relating to the county hotel occupancy tax rate in certain counties.
- HB 2290** Buckley
Relating to the placement of a slow-moving-vehicle emblem.
- HB 2358** Guillen
Relating to the payment of certain sales and use taxes by a retailer.
- HB 2441** Wray
Relating to the entitlement of a person who is disabled and elderly to receive a disabled residence homestead exemption from ad valorem taxation from one taxing unit and an elderly exemption from another taxing unit.
- HB 2446** Swanson
Relating to the availability of certain information regarding firefighters, volunteer firefighters, and emergency medical services personnel.

- HB 2475** Guillen
Relating to the indigent status of a person for purposes of the driver responsibility program.
- HB 2514** Martinez
Relating to the appointment of an individual qualified to conduct a child custody evaluation.
- HB 2531** Romero, Jr.
Relating to the powers of certain regional transportation authorities.
- HB 2548** Leman
Relating to the composition of the juvenile board of Grimes County.
- HB 2564** White
Relating to addressing the needs of homeless youth.
- HB 2566** Dominguez
Relating to the authority of certain counties to regulate litter and mosquito control.
- HB 2569** Darby
Relating to requirements for condominium plats or plans.
- HB 2590** Biedermann
Relating to the administration, powers, and duties of a municipal utility district.
- HB 2604** Sanford
Relating to the number of emissions inspections performed by certain vehicle inspection stations.
- HB 2610** Lambert
Relating to expedited licensing procedures for certain nurses who are military spouses.
- HB 2617** Cole
Relating to the fiscal year of certain political subdivisions.
- HB 2629** Flynn
Relating to the deadline to appeal administrative decisions of the Teacher Retirement System of Texas.
- HB 2632** Johnson, Julie
Relating to notice by certain managed care entities of changes related to reimbursements applicable to certain physicians and health care providers.
- HB 2658** Johnson, Julie
Relating to health benefit coverage for hearing aids for children and adults.
- HB 2660** Calanni
Relating to the creation of the Richfield Ranch Water Control and Improvement District of Harris County, Texas; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 2718** Turner, Chris
Relating to authorizing an increase in the student union fee at The University of Texas at Arlington.

- HB 2736** Darby
Relating to the authority of a governmental unit that has withdrawn from a regional planning commission to join another regional planning commission.
- HB 2741** Minjarez
Relating to the application of the fire code to and the inspection of buildings owned or leased by counties; authorizing a fee.
- HB 2793** Goldman
Relating to certain presumptions relating to the sale of alcoholic beverages.
- HB 2810** Kacal
Relating to exempting certain trailers from being equipped with emergency brakes.
- HB 2818** Lucio III
Relating to an Internet online dropout recovery education program for students at risk of dropping out of school.
- HB 2828** King, Phil
Relating to the exception of certain information related to the humane disposition by a municipality or county of an animal from required disclosure under the public information law.
- HB 2856** Morrison
Relating to restrictions under disaster remediation contracts; creating a criminal offense.
- HB 2885** Davis, Yvonne
Relating to paid leave for public officers and employees engaged in certain military service.
- HB 2909** Klick
Relating to election practices and procedures; creating a criminal offense.
- HB 2911** Klick
Relating to voter registration.
- HB 2913** Zerwas
Relating to the transfer of certain real property held by the Department of Public Safety of the State of Texas.
- HB 2944** Gervin-Hawkins
Relating to authorizing the sale or transfer of the G. J. Sutton Building Complex in San Antonio.
- HB 2951** Guillen
Relating to the admissibility of certain hearsay statements in the prosecution of certain sexual or assaultive offenses committed against a child or person with a disability.
- HB 2977** Howard
Relating to the transfer, sale, or exchange of real property or an interest in real property between the City of Austin and a state agency.
- HB 2978** Howard
Relating to an agreement between the Texas State Library and Archives Commission and the City of Austin regarding an easement across commission property.

- HB 2982** Guillen
Relating to public inspection of certain early voting information; creating a criminal offense.
- HB 3029** Moody
Relating to the designation of Spur 16 in El Paso County as the Henry Gallegos, Sr., Memorial Highway.
- HB 3047** Bell, Cecil
Relating to the creation of the Montgomery County Municipal Utility District No. 167; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 3054** Gervin-Hawkins
Relating to designating June as Firearm Safety Awareness Month.
- HB 3068** Kuempel
Relating to the use of certain license plates on classic motor vehicles and travel trailers, custom vehicles, street rods, and certain exhibition vehicles.
- HB 3100** Wray
Relating to the confidentiality of certain registered voters.
- HB 3163** Springer
Relating to parking for persons with disabilities.
- HB 3203** Dean
Relating to the division of certain emergency services districts.
- HB 3209** Bell, Cecil
Relating to the creation of the Waller County Municipal Utility District No. 35; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 3211** Bell, Cecil
Relating to the creation of the Waller County Municipal Utility District No. 34; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 3214** Bell, Cecil
Relating to the creation of the Waller County Water Control and Improvement District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 3225** Springer
Relating to the penalty for failing to file or failing to timely file a Dealer's Motor Vehicle Inventory Tax Statement.
- HB 3247** Martinez
Relating to the Texas Emergency Services Retirement System.
- HB 3306** Smithee
Relating to the disclosure of information concerning the corporate governance structure of certain insurers and related entities; providing an administrative penalty.

- HB 3310** Romero, Jr.
Relating to assisting inmates in the Texas Department of Criminal Justice in obtaining federal veterans disability benefits.
- HB 3312** Morrison
Relating to authorizing a health and wellness center fee at the University of Houston-Victoria.
- HB 3338** Johnson, Julie
Relating to identification cards issued by health maintenance organizations and preferred provider organizations.
- HB 3339** Dominguez
Relating to requirements for programs of water conservation and water conservation plans.
- HB 3360** Miller
Relating to the use of the fund for veterans' assistance to provide pro bono legal services to veterans and active duty service members.
- HB 3365** Paul
Relating to the civil liability of certain persons providing disaster assistance.
- HB 3386** Geren
Relating to the sales and use tax exemption for certain amusement services.
- HB 3389** Sanford
Relating to creating a position of nonprofit agency services coordinator for the Department of Family and Protective Services.
- HB 3394** Johnson, Jarvis
Relating to the issuance of sickle cell disease awareness specialty license plates.
- HB 3428** Capriglione
Relating to training on Alzheimer's disease and dementia for certain Department of Family and Protective Services employees and area agencies on aging employees and volunteers.
- HB 3430** Hunter
Relating to the transfer of a retired county law enforcement dog.
- HB 3436** Sanford
Relating to the creation of the Celina Municipal Management District No. 3; providing authority to issue bonds and impose assessments, fees, and taxes.
- HB 3440** Capriglione
Relating to the electronic submission of forms, data, and documents to the Commission on Jail Standards; imposing a fee.
- HB 3510** VanDeaver
Relating to the intermodal shipping container permit in North Texas.
- HB 3522** Murphy
Relating to assignment of certain death benefits payable by the Employees Retirement System of Texas.

- HB 3530** Moody
Relating to the towing of certain property from a self-service storage facility for disposition by a vehicle storage facility.
- HB 3531** Shine
Relating to the disqualification of a prosecuting attorney or judge in a case investigated by the public integrity unit of the Texas Rangers.
- HB 3598** Martinez Fischer
Relating to certain unclaimed property that is presumed abandoned.
- HB 3607** Davis, Yvonne
Relating to a study by the Texas Higher Education Coordinating Board on methods to reduce certain textbook and course material costs.
- HB 3616** Hunter
Relating to the establishment of a task force on faith-based programs that provide assistance during a disaster.
- HB 3648** Guillen
Relating to the powers and duties of the office of independent ombudsman for the Texas Juvenile Justice Department.
- HB 3655** Turner, Chris
Relating to the administration and operation of the state's programs for paying, prepaying, or saving toward the costs of attending an institution of higher education, including the powers and duties of the Prepaid Higher Education Tuition Board.
- HB 3663** Frank
Relating to the powers and duties of the North Central Texas Municipal Water Authority.
- HB 3688** White
Relating to the apprehension of a child after escape from a secure juvenile facility or violation of conditions of release under supervision.
- HB 3689** White
Relating to the office of the inspector general of the Texas Juvenile Justice Department.
- HB 3704** Thompson, Senfronia
Relating to certain public health data maintained by the Department of State Health Services and shared with certain local health entities.
- HB 3714** Parker
Relating to the establishment of street lights along county roads in the unincorporated area of certain counties.
- HB 3716** Parker
Relating to the establishment of the office of medical examiner in certain counties.
- HB 3737** Lucio III
Relating to the administration of the financial responsibility verification program.

- HB 3754** Burrows
Relating to the collection of local permit and license fees authorized under the Alcoholic Beverage Code; authorizing a fee.
- HB 3768** Burrows
Relating to authorizing tastings by certain alcoholic beverage manufacturers at certain events.
- HB 3867** Springer
Relating to the authority of the Public Utility Commission of Texas to retain assistance for regional proceedings affecting certain electric utilities and consumers.
- HB 3871** Krause
Relating to the process for establishing speed limits on roads near certain schools.
- HB 3884** Wilson
Relating to dissemination of bacterial meningitis information by school districts.
- HB 3934** Frank
Relating to the authority of rural hospitals to establish a health care collaborative.
- HB 3965** Bohac
Relating to the countywide polling place program.
- HB 3978** Gutierrez
Relating to donations to certain local nonprofit organizations ordered to be paid as a condition of community supervision.
- HB 3985** Leach
Relating to the provision of certain historical claims data and other information to school districts and other participating entities in the Texas school employees uniform group health coverage program.
- HB 3988** Raney
Relating to the filing fee for a complaint concerning the failure of a manufacturer, converter, or distributor to conform a motor vehicle to certain express warranties.
- HB 4035** Dutton
Relating to technical corrections for certain children.
- HB 4073** Perez
Relating to the time for dissolution of a crime control and prevention district.
- HB 4090** Noble
Relating to the licensing of certain school-age programs that provide child-care services.
- HB 4170** Leach
Relating to nonsubstantive additions to, revisions of, and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 85th Legislature to other Acts of that legislature.
- HB 4171** Leach
Relating to the nonsubstantive revision of The Securities Act, including conforming amendments.

- HB 4172** Leach
Relating to the nonsubstantive revision of certain local laws concerning water and wastewater special districts, including conforming amendments.
- HB 4195** Burns
Relating to photographs on certain state-issued identification cards.
- HB 4222** Reynolds
Relating to health coverage for employees of a municipal school district.
- HB 4248** Kuempel
Relating to specifications for legal papers filed with a county clerk.
- HB 4260** Cortez
Relating to the possession and administration of an epinephrine auto-injector by certain entities.
- HB 4262** Darby
Relating to liens on aircraft for certain charges.
- HB 4309** Zerwas
Relating to the transfer of certain functions relating to state employee leave from the state auditor to the comptroller.
- HB 4342** Clardy
Relating to the composition of the board of directors of the Texas School Safety Center.
- HB 4348** Phelan
Relating to the authority of certain minors to consent to Texas Home Visiting Program services.
- HB 4350** Bohac
Relating to public safety answering points operated by emergency communications districts.
- HB 4374** Murr
Relating to liability of prescribed burn directors in connection with prescribed burns.
- HB 4395** Murr
Relating to prescribed burning.
- HB 4505** Metcalf
Relating to the creation of the Montgomery County Municipal Utility District No. 178; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4520** Bell, Cecil
Relating to the creation of the Harris-Waller Counties Municipal Utility District No. 4; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4541** Cyrier
Relating to the authority of the Texas Facilities Commission over certain real property owned by the state.

- HB 4544** Meyer
Relating to municipal control of coyotes.
- HB 4559** Fierro
Relating to access to a county jail prisoner's health benefits coverage information for mental health service providers.
- HB 4569** Landgraf
Relating to the operation of the Ector County Hospital District.
- HB 4584** Hefner
Relating to sale of returnable containers; creating a criminal offense.
- HB 4595** Guillen
Relating to a study and report on the optimum water level of Falcon Lake.
- HB 4614** Guillen
Relating to the administration, collection, and remittance of the cigarette tax; requiring a permit.
- HB 4623** Meyer
Relating to a prohibition against the creation of a fund and the use of state money by a state elected official or a state elected official's staff to settle or pay a sexual harassment claim made against a state elected official or the state elected official's staff.
- HB 4630** Thompson, Ed
Relating to the creation of the Brazoria-Fort Bend Counties Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4631** Smith
Relating to the creation of the Grayson County Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4635** Zerwas
Relating to the creation of the Orchard Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4636** Zerwas
Relating to the creation of the Orchard Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4637** Bonnen, Greg
Relating to the creation of the City of Kemah Municipal Management District No. 1; providing a limited authority of eminent domain; providing authority to issue bonds and impose assessments, fees, and taxes.
- HB 4642** King, Phil
Relating to the powers and duties of the Rolling V Ranch Water Control and Improvement District No. 1 of Wise County.

HB 4643

Bell, Cecil

Relating to the creation of the Wood Trace Water Control and Improvement District of Montgomery County, Texas; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4644

Bell, Cecil

Relating to the creation of the Wood Trace Management District of Montgomery County, Texas; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4645

Smith

Relating to the creation of the Grayson County Municipal Utility District No. 3; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4646

Harless

Relating to the powers and duties of the Cy-Champ Public Utility District; providing authority to issue bonds; providing authority to impose a tax.

HB 4652

Paul

Relating to the creation of the Harris County Municipal Utility District No. 568; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4653

Bailes

Relating to the creation of Tarkington Management District No. 1 of Liberty County; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

HB 4655

Thompson, Ed

Relating to the powers and duties of the Brazoria County Municipal Utility District No. 43; providing authority to issue bonds; providing authority to impose a tax.

HB 4656

Thompson, Ed

Relating to the board of directors and powers and duties of the Brazoria County Municipal Utility District No. 13; providing authority to issue bonds; providing authority to impose a tax.

HB 4657

Bell, Cecil

Relating to the creation of the Montgomery County Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4661

Bailes

Relating to the creation of Plum Creek Management District No. 1 of Liberty County; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

HB 4663

King, Phil

Relating to the authority of the Parker County Hospital District to employ physicians.

HB 4666

Deshotel

Relating to the modernization of the law governing the Port of Beaumont Navigation District of Jefferson County, Texas.

HB 4667

Hernandez

Relating to the creation of the East Houston Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

HB 4669

Wilson

Relating to the creation of the Northeast Burnet County Water District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4670

Thompson, Ed

Relating to the creation of the Brazoria County Municipal Utility District No. 76; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4672

Sanford

Relating to the powers and duties of the Collin County Municipal Utility District No. 2; providing authority to issue bonds and impose fees and taxes.

HB 4675

Zerwas

Relating to the creation of the Fort Bend County Municipal Utility District No. 222; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4676

Stephenson

Relating to the creation of the Fort Bend County Management District No. 3; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4677

Bell, Cecil

Relating to the creation of the Montgomery County Municipal Utility District No. 161; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4678

Bell, Cecil

Relating to the creation of the Montgomery County Municipal Utility District No. 162; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4679

Bell, Cecil

Relating to the creation of the Montgomery County Municipal Utility District No. 163; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4680

Stephenson

Relating to the creation of the Gateway Park Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4681

Bell, Cecil

Relating to the powers and duties of the Montgomery County Municipal Utility District No. 164; providing authority to issue bonds; providing authority to impose a tax.

HB 4682 Bell, Cecil

Relating to the creation of the Montgomery County Municipal Utility District No. 166; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4684 Oliverson

Relating to the creation of the Harris County Municipal Utility District No. 570; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4686 Oliverson

Relating to the powers and duties of the Harris County Municipal Utility District No. 478; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4687 Bell, Cecil

Relating to the creation of the Montgomery County Municipal Utility District No. 174; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4688 Bell, Cecil

Relating to the creation of the Montgomery County Municipal Utility District No. 175; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4690 Thompson, Ed

Relating to the territory, powers, and administration of the Gulf Coast Water Authority.

HB 4691 Goodwin

Relating to the creation of the Travis County Municipal Utility District No. 25; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4692 Oliverson

Relating to the creation of the Harris County Municipal Utility District No. 572; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4694 Cole

Relating to the creation of the SH130 Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4696 Zerwas

Relating to the creation of the Fort Bend County Municipal Utility District No. 240; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4697 Wilson

Relating to the powers and duties of the Williamson County Municipal Utility District No. 29; providing authority to issue bonds; providing authority to impose a tax.

- HB 4698** Wilson
Relating to the powers and duties of the Williamson County Municipal Utility District No. 28; providing authority to issue bonds; providing authority to impose a tax.
- HB 4699** Wilson
Relating to the powers and duties of the Williamson County Municipal Utility District No. 21; providing authority to issue bonds; providing authority to impose a tax.
- HB 4701** Nevárez
Relating to the creation of the West Pecos Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4702** Metcalf
Relating to the creation of the Montgomery County Municipal Utility District No. 179; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4703** Coleman
Relating to the creation of the Harris County Improvement District No. 28; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4704** Smith
Relating to the creation of the Double M Municipal Utility District of Grayson County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4705** Murr
Relating to the territory of the Sutton County Underground Water Conservation District.
- HB 4709** Smith
Relating to the creation of the Grayson County Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4710** Bell, Cecil
Relating to the creation of the Montgomery County Municipal Utility District No. 180; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.
- HB 4711** Bailes
Relating to the conversion of the May Public Utility District to the Harris-Liberty Counties Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.
- HB 4712** Miller
Relating to the powers and duties of the Fort Bend County Levee Improvement District No. 7.
- HB 4714** Bell, Cecil
Relating to the powers, duties, and governance of the Westwood Magnolia Parkway Improvement District; providing authority to impose taxes and issue bonds.

HB 4718

Thompson, Ed

Relating to the creation of the Brazoria County Municipal Utility District No. 77; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4719

Stucky

Relating to the creation of the La La Ranch Municipal Utility District of Denton County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4720

Stucky

Relating to the creation of the Burns Branch Municipal Utility District No. 1 of Denton County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4721

Zerwas

Relating to the Texas Heritage Parkway Improvement District.

HB 4722

Bailes

Relating to the conversion of the Liberty Public Utility District to the Liberty County Municipal Utility District No. 7; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

HB 4723

Burns

Relating to the creation of the Belmont Municipal Utility District of Johnson County; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4724

Burns

Relating to the creation of the Dove Valley Ranch Municipal Utility District of Johnson County; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4725

King, Phil

Relating to the powers and duties of the Morningstar Ranch Municipal Utility District No. 2 of Parker County; providing authority to impose a tax and issue bonds.

HB 4727

Bonnen, Greg

Relating to the designation of the portion of State Highway 35 in Matagorda County as the D. R. "Tom" Uher Memorial Highway.

HB 4728

Stephenson

Relating to the creation of the Fort Bend County Municipal Utility District No. 241; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4729

Stephenson

Relating to the creation of the Fort Bend County Municipal Utility District No. 242; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

HB 4730

Moody

Relating to the creation of the City of El Paso Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

HB 4731

Bell, Cecil

Relating to the name and powers of the Harris County Improvement District No. 17; providing authority to issue bonds; providing authority to impose a tax.

HCR 117

Johnson, Jarvis

Designating September as Sickle Cell Disease Awareness Month for a 10-year period beginning in 2019.

HCR 122

Hefner

Designating Pittsburg as the official Hot Link Capital of Texas for a 10-year period beginning in 2019.

HCR 137

Hunter

Designating September as Suicide Prevention Month for a 10-year period beginning in 2019.

HCR 148

Landgraf

Designating June as Veteran Suicide and PTSD Awareness Month for a 10-year period beginning in 2019.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 6, 2019 - 2

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 570

Capriglione

Relating to open meetings of the governing body of a charter holder and the governing body of an open-enrollment charter school.

HB 639

Springer

Relating to the eligibility of land used as an ecological laboratory for appraisal for ad valorem tax purposes as qualified open-space land.

HB 1517

Coleman

Relating to a notification requirement if a public school, including an open-enrollment charter school, does not have a nurse assigned to the school during all instructional hours.

HB 1666

Martinez

Relating to the authorization by referendum on an optional county fee on vehicle registration in certain counties.

HB 1825

Cortez

Relating to information a law enforcement agency is required to share with a school district about a person who may be a student.

HB 1833

Wray

Relating to the authority to transfer real property in the name of an entity.

HB 2042

Stucky

Relating to postpayment audits conducted by the comptroller and annual financial reports submitted by state agencies.

HB 2088

Dean

Relating to providing information and other resources regarding safe disposal of Schedule II controlled substance prescription drugs.

HB 2104

Fruzzo

Relating to a limitation on life insurance proceeds for terroristic acts.

HB 2110

Shaheen

Relating to state agency measurement and management of customer satisfaction.

HB 2227

Wu

Relating to preventing the loss of benefits by certain retirees of the Teacher Retirement System of Texas who resume service.

HB 2271

Lang

Relating to the authority of the attorney general to advertise Choose Life account grants.

HB 2364

Darby

Relating to the provision of certain services through statewide technology centers.

HB 2430

Reynolds

Relating to requirements in a suit for the removal of human remains from a cemetery.

HB 2545

Guillen

Relating to franchise tax, oil production tax, and gas production tax incentives for certain desalination facility operations.

HB 2547

Meyer

Relating to the assignment of certain former and retired justices and judges.

HB 2559

Bowers

Relating to the issuance of a summons for certain persons charged with a violation of a condition of release on parole or to mandatory supervision.

HB 2631

Johnson, Julie

Relating to physician and health care practitioner credentialing by managed care plan issuers.

HB 2677

Goldman

Relating to certain restrictions on contributions and expenditures from political funds by a lobbyist.

HB 2691

VanDeaver

Relating to restricting the use of personally identifiable student information by an operator of a website, online service, online application, or mobile application used for a school purpose and providing an exemption from certain restrictions for a national assessment provider.

HB 2764

Frank

Relating to minimum standards and caregiver training for substitute care providers for children in the conservatorship of the Department of Family and Protective Services.

HB 2766

Zerwas

Relating to electronic and other controlled substance prescriptions under the Texas Controlled Substances Act; authorizing a fee.

HB 2772

Wilson

Relating to the release to mandatory supervision of certain inmates confined in a county jail.

HB 2787

Springer

Relating to certain confidential or privileged information related to veterinary care or treatment and to the liability of volunteer certified veterinary assistants, licensed veterinary technicians, or veterinarians who provide medical assistance to an injured animal in certain situations.

HB 2840

Canales

Relating to the right of a member of the public to address the governing body of a political subdivision at an open meeting of the body.

HB 2859

Capriglione

Relating to the exemption from ad valorem taxation of precious metal held in a precious metal depository located in this state.

HB 3009

Talarico

Relating to civics instruction in public schools.

HB 3016

Schaefer

Relating to the carrying of a handgun by a license holder in a motor vehicle.

HB 3044

Klick

Relating to political expenditures made by a corporation to finance the solicitation of political contributions to a political committee.

HB 3078

Thompson, Senfronia

Relating to the review of clemency applications from certain persons who were victims of human trafficking or family violence.

- HB 3082** Murphy
Relating to investigating and prosecuting the criminal offense of operating an unmanned aircraft over or near certain facilities.
- HB 3117** Schaefer
Relating to developing the proposed plan on long-term care for persons with an intellectual disability.
- HB 3132** Allen
Relating to staff development requirements for public school teachers who provide reading instruction to students in kindergarten through grade three.
- HB 3228** Muñoz, Jr.
Relating to certain hearings concerning title insurance rates and other matters relating to regulating the business of title insurance.
- HB 3233** Klick
Relating to the Judicial Campaign Fairness Act.
- HB 3388** Sheffield
Relating to the reimbursement of prescription drugs under Medicaid and the child health plan program.
- HB 3420** Lambert
Relating to liability coverage for certain vehicles provided by certain automobile repair facilities.
- HB 3512** Pacheco
Relating to conditions of community supervision and procedures applicable to the reduction or termination of a defendant's period of community supervision.
- HB 3526** Rose
Relating to the duties of and training for certain officers and jailers regarding the child safety check alert list.
- HB 3540** Burns
Relating to the authority of a peace officer to release in lieu of arrest certain persons with an intellectual or developmental disability.
- HB 3601** Bell, Cecil
Relating to the recognition by the Texas Higher Education Coordinating Board of competency-based education degree plans for members of the Texas military forces.
- HB 3612** Davis, Yvonne
Relating to a study and report by the Texas Higher Education Coordinating Board regarding best practices for assisting students with autism spectrum disorder.
- HB 3630** Meyer
Relating to prohibiting the use of aversive techniques on students enrolled in public school who receive special education services.
- HB 3647** Guillen
Relating to the confidentiality of a child's criminal records related to certain misdemeanor offenses.

- HB 3656** Murr
Relating to the transfer of certain permitted irrigation water rights related to a certain portion of the Edwards Aquifer.
- HB 3668** Walle
Relating to grants for disaster response by nonprofit food banks.
- HB 3721** Deshotel
Relating to an independent review organization to conduct reviews of certain medical necessity determinations under the Medicaid managed care program.
- HB 3838** Bailes
Relating to a disclosure in certain offers to purchase a mineral or royalty interest.
- HB 3904** Huberty
Relating to public school accountability, including certain performance standards and sanctions, to providing alternative methods to satisfy certain public high school graduation requirements, and to public school class size limits.
- HB 4003** Sheffield
Relating to a study by the Texas Higher Education Coordinating Board concerning a shortage of primary care physicians in this state.
- HB 4008** Frullo
Relating to plans required to be submitted to be eligible to receive funding through the Major Events Reimbursement Program.
- HB 4150** Paddie
Relating to safety and inspection requirements for certain utilities that provide electricity.
- HB 4181** Geren
Relating to the organization and efficient operation of the legislative branch of state government.
- HB 4498** Guillen
Relating to the reimbursement of excess costs incurred by a recipient of certain grants awarded by the Texas Department of Transportation.
- HB 4534** Lucio III
Relating to the rates and other funding of the Texas Windstorm Insurance Association.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, May 6, 2019 - 3

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

- SB 72** Nelson Sponsor: Guillen
Relating to the establishment and duties of the human trafficking prevention coordinating council.
- SB 225** Flores Sponsor: Cortez
Relating to the issuance of Army of Occupation Medal specialty license plates; providing an exemption from a fee.
- SB 240** Nelson Sponsor: Geren
Relating to the issuance of F-35 fighter jet specialty license plates.
- SB 254** Rodríguez Sponsor: Ortega
Relating to court appointment of a receiver for a property that is in violation of certain ordinances in certain municipalities.
- SB 320** Flores Sponsor: King, Tracy O.
Relating to the use of municipal hotel occupancy tax revenue in certain municipalities.
- SB 385** Nelson Sponsor: Holland
Relating to a common characteristic or use project in a public improvement district in certain municipalities.
- SB 416** Huffman Sponsor: Walle
Relating to legal counsel provided by the attorney general to a political subdivision subject to a declared state of disaster.
- SB 497** Zaffirini Sponsor: Rodriguez
Relating to the designation of a portion of State Highway 71 in Travis County as the Trooper Carlos Ray Warren Memorial Highway.
- SB 590** Watson Sponsor: Lucio III
Relating to the cancellation and nonrenewal of certain liability and commercial property insurance policies.
- SB 642** Johnson Sponsor: Anchia
Relating to a common characteristic or use project in a public improvement district in certain municipalities.
- SB 669** Buckingham Sponsor: Goodwin
Relating to the date for the confirmation election for the Southwestern Travis County Groundwater Conservation District.
- SB 925** Flores Sponsor: Bailes
Relating to calculation of daily production for purposes of the oil and gas production tax credits for low-producing wells and leases.
- SB 971** Huffman Sponsor: Herrero
Relating to peace officer training on recognizing and recording circumstances that indicate strangulation in certain cases.

- SB 1012** Zaffirini Sponsor: Holland
Relating to the applicability of certain electric energy storage equipment requirements to municipally owned utilities and electric cooperatives.
- SB 1066** Nelson Sponsor: Parker
Relating to certain coordinated county transportation authorities.
- SB 1134** Watson Sponsor: Hinojosa
Relating to the designation of a portion of Farm-to-Market Road 734 in Austin as the Master Sergeant Jonathan J. Dunbar Memorial Parkway.
- SB 1213** Nichols Sponsor: Phelan
Relating to the exchange of certain state property in Orange County by the Public Safety Commission.
- SB 1337** Huffman Sponsor: Flynn
Relating to credit in, benefits from, and administration of the Texas Municipal Retirement System.
(Committee Substitute)
- SB 1358** Hancock Sponsor: Parker
Relating to procedures for imposing certain administrative penalties or disgorgement orders by the Public Utility Commission of Texas.
- SB 1378** Buckingham Sponsor: Turner, Chris
Relating to meeting the graduate medical education needs of medical degree programs offered or proposed by public institutions of higher education.
- SB 1443** Campbell Sponsor: Flynn
Relating to the Texas Military Preparedness Commission.
- SB 1574** Alvarado Sponsor: King, Tracy O.
Relating to the duties of the Texas Water Development Board.
- SB 1597** Hall Sponsor: Shine
Relating to awarding certain medals for military service performed individually or as part of a crew.
- SB 1598** Hall Sponsor: Tinderholt
Relating to hazardous duty pay for security officers employed by the Texas Military Department.
- SB 1764** Zaffirini Sponsor: Price
Relating to emergency contact and medical information maintained by the Department of Public Safety.
- SB 2024** Buckingham Sponsor: Shine
Relating to the designation of a portion of Interstate Highway 35 as the Trooper Tom Nipper Memorial Highway.
- SB 2132** Powell Sponsor: Button
Relating to the provision of information to certain women enrolled in the Healthy Texas Women program.

SB 2390

Powell

Sponsor: Guillen

Relating to the confidentiality of certain personal information of a person protected by a magistrate's order for emergency protection.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE
HOUSE BILL 3 ON SECOND READING**

Senator Taylor moved to suspend the regular order of business to take up for consideration **CSHB 3** at this time on its second reading:

CSHB 3, Relating to public school finance and public education; authorizing the imposition of a fee.

The motion prevailed by the following vote: Yeas 24, Nays 7.

Yeas: Alvarado, Birdwell, Campbell, Flores, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Powell, Rodríguez, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Buckingham, Creighton, Fallon, Hall, Paxton, Schwertner.

The bill was read second time.

Question: Shall **CSHB 3** be passed to third reading?

AT EASE

The President at 12:36 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 1:06 p.m. called the Senate to order as In Legislative Session.

Question: Shall **CSHB 3** be passed to third reading?

Senator Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 3** (senate committee report) by adding the following appropriately numbered SECTION to Article 6 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 6. _____. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Taylor offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSHB 3** (senate committee printing) in SECTION 2.043 of the bill, by striking amended Section 39.022, Education Code (page 77, lines 5 through 12), and substituting the following:

Sec. 39.022. ASSESSMENT PROGRAM. The commissioner, after providing for a public hearing in coordination with the State Board of Education, by rule shall create and implement a statewide assessment program that is based on the essential knowledge and skills adopted by the State Board of Education under Subchapter A, Chapter 28, ~~[knowledge and skills based]~~ to ensure school accountability for student achievement that achieves the goals provided under Section 4.002. After adopting rules under this section, the commissioner ~~[State Board of Education]~~ shall consider the importance of maintaining stability in the statewide assessment program when adopting any subsequent modification of the rules.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSHB 3** (senate committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE __. ADDITIONAL FUNDING FOR PUBLIC EDUCATION AND
PROPERTY TAX RELIEF

SECTION __.001. Subtitle I, Title 2, Education Code, is amended by adding Chapter 47 to read as follows:

CHAPTER 47. TAX REDUCTION AND EXCELLENCE IN EDUCATION FUND

Sec. 47.001. DEFINITION. In this chapter, "fund" means the tax reduction and excellence in education fund.

Sec. 47.002. FUND ESTABLISHED. (a) The tax reduction and excellence in education fund is a special fund in the state treasury outside the general revenue fund.

(b) The fund consists of:

(1) money appropriated by the legislature for deposit to the credit of the fund;

(2) gifts to the state for the purposes of the fund; and

(3) money directed by law for deposit to the credit of the fund.

Sec. 47.003. USES OF FUND. Except as otherwise provided by this chapter, money in the fund may be appropriated only:

(1) to pay the cost of tier one allotments under Chapter 48; or

(2) for the purpose of reducing school district maintenance and operations ad valorem tax rates.

Sec. 47.004. DEPOSIT OF CERTAIN MONEY DEDICATED FOR SCHOOL DISTRICT AD VALOREM TAX RATE REDUCTION. (a) The comptroller shall deposit to the credit of the fund money that Section 49-g, Article III, Texas Constitution, dedicates to the purpose of reducing school district maintenance and operations ad valorem tax rates.

(b) Money deposited to the fund under this section may be appropriated from the fund only for the purpose described by Section 47.003(2).

Sec. 47.005. CERTAIN MONEY DISTRIBUTED TO AVAILABLE SCHOOL FUND. (a) Of the money distributed to the available school fund each year under Section 5(g), Article VII, Texas Constitution, the amount that exceeds the first \$300 million is considered part of the tax reduction and excellence in education fund.

(b) Money considered part of the fund as described by Subsection (a) may be appropriated only to pay the cost of tier one allotments under Chapter 48.

Sec. 47.006. DEPOSIT OF MONEY BASED ON CERTAIN SALES AND USE TAX COLLECTIONS. (a) The comptroller shall deposit to the credit of the fund on or before the 90th day of each state fiscal year an amount of general revenue equal to the amount of state sales and use tax revenue collected by marketplace providers on sales of taxable items made through the marketplace under Section 151.0242, Tax Code, and remitted to this state during the preceding state fiscal year, less any amount of that revenue the comptroller estimates would have been collected and remitted if Section 151.0242 were not law.

(b) Money deposited to the fund under this section may be appropriated from the fund only for the purpose described by Section 47.003(2).

SECTION __.002. Section 47.006, Education Code, as added by this article, takes effect only if H.B. 1525 or similar legislation of the 86th Legislature, Regular Session, 2019, relating to the administration and collection of sales and use taxes applicable to sales involving marketplace providers is enacted and becomes law.

SECTION __.003. This article takes effect January 1, 2020.

WATSON	LUCIO
ALVARADO	MENÉNDEZ
HANCOCK	NELSON
HINOJOSA	PERRY
HUFFMAN	WEST
JOHNSON	ZAFFIRINI

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 3.

Senator Taylor offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSHB 3** (senate committee printing) as follows:

(1) Strike SECTION 1.002 of the bill, adding Section 13.054(f-1), Education Code (page 2, lines 18-27).

(2) Strike SECTION 1.004 of the bill, amending Section 30.003, Education Code (page 2, lines 39-57).

(3) In SECTION 1.007 of the bill, strike page 5, lines 17-19, and substitute:

SECTION 1.007. Section 45.003, Education Code, is amended by adding Subsections (b-1), (d-1), (d-2), and (d-3) to read as follows:

(4) In SECTION 1.007 of the bill, strike amended Section 45.003(d), Education Code (page 5, lines 22-31).

(5) In SECTION 1.007 of the bill, in added Section 45.003(d-1), Education Code (page 5, line 36), strike "and 48.255" and substitute "48.255, and 48.2551".

(6) In SECTION 1.008 of the bill, in added Section 45.0032(a), Education Code, strike page 5, lines 66-68 and substitute "and operations that does not exceed the district's maximum compressed rate, as determined under Section 48.2551."

(7) In the recital to SECTION 1.019 of the bill (page 12, lines 55-56), strike "Sections 42.101 and 42.105, Education Code, are" and substitute "Section 42.105, Education Code, is".

(8) In the recital to SECTION 1.019 of the bill (page 12, line 57), strike "Sections 48.051 and 48.052" and substitute "Section 48.052".

(9) In SECTION 1.019 of the bill, strike transferred and redesignated Section 48.051, Education Code (page 12, line 59, through page 13, line 37).

(10) In the recital to SECTION 1.034 of the bill (page 28, line 19), strike "42.302,".

(11) In the recital to SECTION 1.034 of the bill (page 28, line 22), strike "48.202,".

(12) In SECTION 1.034 of the bill, strike transferred and redesignated Section 48.202, Education Code (page 28, line 30, through page 30, line 10).

(13) In the recital to SECTION 1.036 of the bill (page 30, lines 28-29), strike "42.2515, and 42.2516" and substitute "and 42.2515".

(14) In the recital to SECTION 1.036 of the bill (page 30, line 31), strike "48.254, and 48.255" and substitute "and 48.254".

(15) In SECTION 1.036 of the bill, strike transferred and redesignated Section 48.255, Education Code (page 31, lines 32-54).

(16) Strike SECTION 1.037 of the bill, transferring and redesignating Section 48.255, Education Code (page 31, line 55, through page 32, line 12).

(17) In SECTION 1.059 of the bill, in amended Section 26.08(n)(1)(A), Tax Code, strike page 61, lines 67-69 and substitute "is equal to the district's maximum compressed tax rate, as determined under Section 48.2551, Education Code, for the 2019 tax year.".

(18) In SECTION 1.059 of the bill, in amended Section 26.08(n)(2)(A), Tax Code, strike page 62, lines 15-17 and substitute the following:

that is equal to the district's maximum compressed tax rate [~~product of the state compression percentage~~], as determined under Section 48.2551 [~~42.2516~~], Education Code, for the current year [~~and \$1.50~~];

(19) Renumber SECTIONS of Article 1 as appropriate.

(20) In the recital to SECTION 4.001 of the bill (page 104, line 1), strike "Effective September 1, 2021,".

(21) In the recital to SECTION 4.002 of the bill (page 104, line 19), strike "Effective September 1, 2021,".

(22) Strike SECTION 4.003 of the bill, adding Sections 45.003(d-1), (d-2), (d-3), and (d-4), Education Code (page 104, lines 39-58).

(23) In the recital to SECTION 4.004 of the bill (page 104, line 59), strike "Effective September 1, 2021,".

(24) Strike SECTION 4.005 of the bill, adding Section 45.0032(a), Education Code (page 105, lines 13-21).

(25) Strike SECTION 4.006, amending Section 46.071, Education Code (page 105, lines 22-66).

(26) In the recital to SECTION 4.007 of the bill (page 105, line 67), strike "Effective September 1, 2021,".

(27) In the recital to SECTION 4.008 of the bill (page 106, line 51), strike "Effective September 1, 2021,".

(28) Strike SECTION 4.009 of the bill, transferring and redesignating Section 48.255, Education Code (page 108, lines 37-63).

(29) In the recital to SECTION 4.010 of the bill (page 108, line 64), strike "Effective September 1, 2021,".

(30) In SECTION 4.010 of the bill, in transferred and redesignated Section 48.255(b)(1), Education Code (page 109, line 6), strike "85" and substitute "90".

(31) In the recital to SECTION 4.011 of the bill (page 109, line 21), strike "Effective September 1, 2021,".

(32) In SECTION 4.011 of the bill, in added Section 48.2551(a)(3)(D), Education Code (page 109, line 45), strike "1.1" and substitute "1.055".

(33) In SECTION 4.011 of the bill, in added Section 48.2551(a)(4)(D), Education Code (page 109, line 58), strike "10" and substitute "5.5".

(34) In SECTION 4.011 of the bill, in added Section 48.2551(a), Education Code (page 109, line 66), strike "and".

(35) In SECTION 4.011 of the bill, in added Section 48.2551(a), Education Code (page 109, line 68), between "year" and the underlined period, insert the following:

;

(8) "PYSCP" is the state compression percentage, as determined under Section 48.255, for the preceding tax year; and

(9) "SCP" is the state compression percentage, as determined under Section 48.255, for the current tax year

(36) In SECTION 4.011 of the bill, in added Section 48.2551(b)(1)(A), Education Code, strike page 110, line 6, and substitute the following:

$MCR = GLF \times ((PYDPV + E) \times PYMCR \times (SCP / PYSCP)) / DPV;$

(37) In SECTION 4.011 of the bill, in added Section 48.2551(b)(1)(B), Education Code, strike page 110, line 8, and substitute the following:

$MCR = PYMCR \times (SCP / PYSCP);$ or

(38) In SECTION 4.011 of the bill, in added Section 48.2551(c-1), Education Code (page 110, line 16), strike "2021-2022" and substitute "2019-2020".

(39) In SECTION 4.011 of the bill, in added Section 48.2551(c-1), Education Code (page 110, line 18), strike "2022" and substitute "2020".

(40) In SECTION 4.011 of the bill, in added Section 48.2551(c-1), Education Code (page 110, line 17), between "\$1.00" and the underlined period, insert "and the value of "PYSCP" is 100 percent".

(41) In the recital to SECTION 4.012 of the bill (page 110, line 36), strike "Effective September 1, 2021,".

(42) Strike SECTION 4.013 of the bill, adding Sections 49.004(a-1), (b-1), and (c-1), Education Code (page 110, line 44 through page 111, line 2).

(43) Strike SECTIONS 4.014 and 4.015 of the bill, adding Sections 49.0041 and 49.0121, Education Code (page 111, lines 3-38).

(44) Strike SECTIONS 4.016 and 4.017 of the bill, adding Sections 49.154(a-1) and 49.308(a-1), Education Code (page 111, lines 39-55).

(45) Strike SECTIONS 4.018, 4.019, 4.020, 4.021, and 4.022 of the bill, amending Sections 11.13, 11.26, 25.23, 26.04, and 26.08, Tax Code (page 111, line 56 through page 112, line 63).

(46) Strike SECTION 4.023 of the bill, amending Section 26.08(n), Tax Code (page 112, line 64 through page 113, line 35).

(47) Strike SECTIONS 4.024, 4.025, 4.026, and 4.027 of the bill, adding Sections 26.09(c-1), 26.15(h), 31.01(d-2), (d-3), (d-4), and (d-5), and 31.02(a-1), Tax Code (page 113, line 36 through page 114, line 69).

(48) Strike SECTION 4.028 of the bill (page 115, lines 1-11).

(49) Renumber SECTIONS of Article 4 accordingly.

(50) Strike SECTIONS 7.002 and 7.003 of the bill (page 116, lines 48-67) and renumber subsequent SECTIONS of that article accordingly.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 4.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 5

Amend **CSHB 3** (senate committee report) as follows:

(1) In the recital to SECTION 1.001 of the bill (page 1, line 29), strike "(a-3) and (a-4)" and substitute "(a-3), (a-4), and (a-5)".

(2) In SECTION 1.001 of the bill, in amended Section 12.106, Education Code, strike Subsections (a-1) and (a-2) (page 1, line 40, through page 2, line 4) and substitute the following:

(a-1) In determining funding for an open-enrollment charter school under Subsection (a), the amount of the allotment under Section 48.102 is based solely on the basic allotment to which the charter holder is entitled and does not include any amount based on the allotment under Section 48.101[

~~(1) adjustments under Sections 42.102, 42.104, and 42.105 are based on the average adjustment for the state; and~~

~~(2) the adjustment under Section 42.103 is based on the average adjustment for the state that would have been provided under that section as it existed on January 1, 2018].~~

(a-2) In addition to the funding provided by Subsection (a), a charter holder is entitled to receive for the open-enrollment charter school an allotment per student in average daily attendance in an amount equal to the product of:

(1) the quotient of:

(A) the total amount of funding provided to eligible school districts under Section 48.101; and

(B) the total number of students in average daily attendance in school districts that receive an allotment under Section 48.101; and

(2) the sum of one and the quotient of:

(A) the total number of students in average daily attendance in school districts that receive an allotment under Section 48.101; and

(B) the total number of students in average daily attendance in school districts statewide.

(a-3) In addition to the funding provided by Subsections [~~Subsection~~] (a) and (a-2), a charter holder is entitled to receive for the open-enrollment charter school enrichment funding under Section 48.202 [~~42.302~~] based on the state average tax effort.

(3) In SECTION 1.001 of the bill, in amended Section 12.106, Education Code (page 2, line 5), strike "(a-3)" and substitute "(a-4)".

(4) In SECTION 1.001 of the bill, in amended Section 12.106, Education Code (page 2, line 6), strike "(a-1), and (a-2)" and substitute "(a-2), and (a-3)".

(5) In SECTION 1.001 of the bill, in amended Section 12.106, Education Code (page 2, line 11), strike "(a-4)" and substitute "(a-5)".

(6) In SECTION 1.001 of the bill, in amended Section 12.106, Education Code (page 2, line 13), strike "(a-1), (a-2), and (a-3)" and substitute "(a-2), (a-3), and (a-4)".

(7) In each of the following places in SECTION 1.022 of the bill, in transferred, redesignated, and amended Section 48.102(a), Education Code, between "allotment" and "multiplied", insert ", or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled,":

(A) page 14, line 52; and

(B) page 14, line 57.

(8) In SECTION 1.022 of the bill, in transferred, redesignated, and amended Section 48.102(j), Education Code (page 15, line 51), between "allotment" and the open bracket, insert ", or, if applicable, the sum of the basic allotment and the allotment under Section 48.101 to which the district is entitled,".

LUCIO
MENÉNDEZ
ZAFFIRINI

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 15, Nays 16.

Yeas: Alvarado, Buckingham, Hinojosa, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Powell, Rodríguez, Seliger, Watson, Zaffirini.

Nays: Bettencourt, Birdwell, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Paxton, Schwertner, Taylor, West, Whitmire.

Senator Powell offered the following amendment to the bill:

Floor Amendment No. 6

Amend **CSHB 3** (senate committee report) as follows:

(1) In SECTION 1.001 of the bill, in amended Section 12.106(a), Education Code (page 1, line 34), strike "48.109".

(2) In SECTION 1.001 of the bill, in added Section 12.106(a-3), Education Code (page 2, line 8), strike "48.109, 48.110, and 48.112" and substitute "48.110 and 48.112".

(3) In the recital to SECTION 1.027 of the bill, adding sections to Subchapter C, Chapter 48, Education Code (page 21, line 8), strike "48.109".

(4) In SECTION 1.027 of the bill, strike added Section 48.109, Education Code (page 21, line 10, through page 22, line 43).

(5) In SECTION 1.041 of the bill, in added Section 48.277(b)(2), Education Code, strike Paragraph (D) (page 42, lines 56 and 57) and reletter subsequent paragraphs accordingly.

(6) In SECTION 2.001 of the bill, in added Section 4.003(1), Education Code (page 62, lines 51 and 52), strike "a third grade reading assessment instrument described by Section 48.109(b)" and substitute "the third grade reading assessment instrument administered under Section 39.023".

POWELL
MENÉNDEZ

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 13, Nays 18.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Seliger, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Taylor.

Question: Shall **CSHB 3** as amended be passed to third reading?

AT EASE

The President at 1:56 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

Senator Hancock at 2:17 p.m. called the Senate to order as In Legislative Session.

Question: Shall **CSHB 3** as amended be passed to third reading?

Senator Nichols offered the following amendment to the bill:

Floor Amendment No. 7

Amend **CSHB 3** (senate committee report) as follows:

(1) In the recital to SECTION 1.001 of the bill, amending Section 12.106, Education Code (page 1, line 29), strike "Subsections (a-3) and (a-4)" and substitute "Subsection (a-3)".

(2) In SECTION 1.001 of the bill, in amended Section 12.106(a), Education Code (page 1, lines 33 and 34), strike "the adjustment under Section 48.052, the allotments under Sections 48.101," and substitute "the adjustments under Sections 48.0511 and 48.052, the allotments under Sections".

(3) In SECTION 1.001 of the bill, in amended Section 12.106(a-1), Education Code, strike page 1, lines 40 through 55 and substitute the following:

(a-1) In addition to the funding provided by Subsection (a), a charter holder is entitled to receive for the open-enrollment charter school an allotment per student in average daily attendance in an amount equal to the product of:

(1) the quotient of:

(A) the total amount of funding provided to eligible school districts attributable to the adjustment under Section 48.0511; and

(B) the total number of students in average daily attendance in school districts that receive an adjustment under Section 48.0511; and

(2) the sum of one and the quotient of:

(A) the total number of students in average daily attendance in school districts that receive an adjustment under Section 48.0511; and

(B) the total number of students in average daily attendance in school districts statewide. ~~In determining funding~~

(4) In SECTION 1.001 of the bill, amending Section 12.106, Education Code, strike Subsection (a-4) (page 2, lines 11 through 17).

(5) Strike the recital to SECTION 1.019 of the bill (page 12, lines 55 through 58) and substitute the following:
Section 42.101, Education Code, is transferred to Subchapter B, Chapter 48, Education Code, as added by this Act, redesignated as Section 48.051, Education Code, and amended to read as follows:

(6) Add the following appropriately numbered SECTION to Article 1 of the bill:

SECTION 1.____. (a) Effective September 1, 2019, Section 42.103, Education Code, as effective until September 1, 2023, is transferred to Subchapter B, Chapter 48, Education Code, as added by this Act, redesignated as Section 48.0511, Education Code, and amended to read as follows:

Sec. 48.0511 [~~42.103~~]. SMALL AND MID-SIZED DISTRICT ADJUSTMENT. (a) The basic allotment for certain small and mid-sized districts is adjusted in accordance with this section. In this section:

(1) "AA" is the district's adjusted allotment per student;

(2) "ADA" is the number of students in average daily attendance for which the district is entitled to an allotment under Section 48.051 [~~42.101~~]; and

(3) "BA" [~~"ABA"~~] is the [~~adjusted~~] basic allotment determined under Section 48.051 [~~42.102~~].

(b) The basic allotment of a school district that contains at least 300 square miles and has not more than 1,600 students in average daily attendance is adjusted by applying the formula:

$$AA = (1 + ((1,600 - ADA) \times .0004)) \times BA \text{ [~~ABA~~]}$$

(c) The basic allotment of a school district that contains less than 300 square miles and has not more than 1,600 students in average daily attendance is adjusted by applying the following formulas:

- (1) ~~[for the fiscal year beginning September 1, 2018:~~
~~[AA = (1 + ((1,600 - ADA) X .000275))] X ABA;~~
~~(2)~~ for the fiscal year beginning September 1, 2019:
~~AA = (1 + ((1,600 - ADA) X .00030)) X BA [ABA];~~
~~(2)~~ ~~(3)~~ for the fiscal year beginning September 1, 2020:
~~AA = (1 + ((1,600 - ADA) X .000325)) X BA [ABA];~~
~~(3)~~ ~~(4)~~ for the fiscal year beginning September 1, 2021:
~~AA = (1 + ((1,600 - ADA) X .00035)) X BA [ABA];~~ and
~~(4)~~ ~~(5)~~ for the fiscal year beginning September 1, 2022:
~~AA = (1 + ((1,600 - ADA) X .000375)) X BA [ABA]~~

(d) The basic allotment of a school district that offers a kindergarten through grade 12 program and has less than 5,000 students in average daily attendance is adjusted by applying the formula, of the following formulas, that results in the greatest adjusted allotment:

- (1) the formula in Subsection (b) or (c) for which the district is eligible; or
- (2) $AA = (1 + ((5,000 - ADA) X .000025)) X BA$ [ABA].

(b) Effective September 1, 2023, Section 42.103, Education Code, as effective September 1, 2023, is transferred to Subchapter B, Chapter 48, Education Code, as added by this Act, redesignated as Section 48.0511, Education Code, and amended to read as follows:

Sec. 48.0511 [42.103]. SMALL AND MID-SIZED DISTRICT ADJUSTMENT. (a) The basic allotment for certain small and mid-sized districts is adjusted in accordance with this section. In this section:

- (1) "AA" is the district's adjusted allotment per student;
- (2) "ADA" is the number of students in average daily attendance for which the district is entitled to an allotment under Section 48.051 [42.101]; and
- (3) "BA" ["ABA"] is the [adjusted] basic allotment determined under Section 48.051 [42.102].

(b) The basic allotment of a school district that has not more than 1,600 students in average daily attendance is adjusted by applying the formula:

$$AA = (1 + ((1,600 - ADA) X .0004)) X BA$$
 [ABA]

(d) The basic allotment of a school district that offers a kindergarten through grade 12 program and has less than 5,000 students in average daily attendance is adjusted by applying the formula, of the following formulas, that results in the greatest adjusted allotment:

- (1) the formula in Subsection (b), if the district is eligible for that formula;

or

- (2) $AA = (1 + ((5,000 - ADA) X .000025)) X BA$ [ABA].

(7) On page 13, between lines 37 and 38, insert the following appropriately numbered SECTION recital:

SECTION 1. _____. Section 42.105, Education Code, is transferred to Subchapter B, Chapter 48, Education Code, as added by this Act, redesignated as Section 48.052, Education Code, and amended to read as follows:

(8) In SECTION 1.019 of the bill, in transferred, redesignated, and amended Section 48.052, Education Code, strike "Section 48.051 [Sections" and substitute "Sections 48.051 and 48.0511 [" in each of the following places:

- (A) in Subsection (a) (page 13, line 39); and
- (B) in Subsection (c) (page 13, line 69, and page 14, line 1).

(9) In SECTION 1.019 of the bill, in transferred, redesignated, and amended Section 48.052, Education Code, strike "a [~~an adjusted~~]" and substitute "an adjusted" in each of the following places it appears:

- (A) in Subsection (a) (page 13, line 41);
- (B) in Subsection (a) (page 13, lines 49 and 50); and
- (C) in Subsection (c) (page 14, line 4).

(10) Strike "~~adjusted~~" and substitute "adjusted" in each of the following places it appears:

- (A) in SECTION 1.019 of the bill, in transferred, redesignated, and amended Section 48.052(a), Education Code (page 13, line 52);
- (B) in SECTION 1.022 of the bill, in transferred, redesignated, and amended Section 48.102(a), Education Code (page 14, line 52);
- (C) in SECTION 1.022 of the bill, in transferred, redesignated, and amended Section 48.102(a), Education Code (page 14, line 57);
- (D) in SECTION 1.022 of the bill, in transferred, redesignated, and amended Section 48.102(j), Education Code (page 15, line 51);
- (E) in SECTION 1.024 of the bill, in transferred, redesignated, and amended Section 48.104(a), Education Code (page 16, line 35);
- (F) in SECTION 1.025 of the bill, in transferred, redesignated, and amended Section 48.105, Education Code (page 19, line 37);
- (G) in SECTION 1.025 of the bill, in transferred, redesignated, and amended Section 48.106(a)(1), Education Code (page 19, line 65); and
- (H) in SECTION 1.025 of the bill, in transferred, redesignated, and amended Section 48.107(a), Education Code (page 20, line 43).

(11) Strike SECTION 1.021 of the bill, adding Section 48.101, Education Code (page 14, lines 13 through 43).

(12) In each of the following places, between "the" and "basic", insert "adjusted":

- (A) in SECTION 1.023 of the bill, in added Section 48.103(a), Education Code (page 16, line 10);
- (B) in SECTION 1.024 of the bill, in transferred, redesignated, and amended Section 48.104(a), Education Code (page 16, line 40);
- (C) in SECTION 1.024 of the bill, in transferred, redesignated, and amended Section 48.104(b), Education Code (page 16, line 45);
- (D) in SECTION 1.024 of the bill, in transferred, redesignated, and amended Section 48.104(e), Education Code (page 17, line 2);
- (E) in SECTION 1.026 of the bill, in added Section 48.108(a), Education Code (page 20, lines 56 and 57);
- (F) in SECTION 1.027 of the bill, in added Section 48.111, Education Code (page 23, line 42); and
- (G) in SECTION 1.027 of the bill, in added Section 48.113(a), Education Code (page 24, line 25).

(13) In SECTION 1.047 of the bill, in transferred, redesignated, and amended Section 49.054(a), Education Code (page 48, line 12), between "Section" and "48.052", insert "48.0511 or".

(14) In SECTION 1.057 of the bill, in transferred, redesignated, and amended Section 49.357, Education Code (page 60, lines 7 and 8), strike "48.052 [~~42.103~~, ~~48.101~~ [~~42.105~~]" and substitute "48.0511, 48.052 [~~42.103, 42.105~~"]".

(15) Renumber SECTIONS of Article 1 of the bill accordingly.

(16) In SECTION 5.001(a) of the bill, repealing provisions of the Education Code, strike Subdivision (31) (page 115, line 45) and renumber subsequent subdivisions accordingly.

(17) In SECTION 5.001 of the bill, in the repealer (page 115, between lines 58 and 59), insert the following appropriately lettered subsection and reletter subsequent subsections accordingly:

() Effective September 1, 2023, Section 48.0511(c), Education Code, as transferred, redesignated, and amended by this Act, is repealed.

NICHOLS
LUCIO
ZAFFIRINI

The amendment to **CSHB 3** was read and was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Alvarado, Birdwell, Buckingham, Fallon, Hinojosa, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nichols, Perry, Powell, Rodriguez, Seliger, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Campbell, Creighton, Flores, Hall, Hancock, Huffman, Nelson, Paxton, Schwertner, Taylor.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 8

Amend **CSHB 3** (senate committee report) as follows:

(1) In SECTION 1.001 of the bill, in amended Section 12.106(a), Education Code (page 1, lines 34 and 35), strike "48.111, and 48.112" and substitute "and 48.111".

(2) In SECTION 1.001 of the bill, in added Section 12.106(a-3), Education Code (page 2, line 8), strike "48.109, 48.110, and 48.112" and substitute "48.109 and 48.110".

(3) In the recital to SECTION 1.027 of the bill, adding sections to Subchapter C, Chapter 48, Education Code (page 21, line 9), strike "48.112,".

(4) In SECTION 1.027 of the bill, strike added Section 48.112, Education Code (page 23, line 44, through page 24, line 23).

(5) In the recital to SECTION 1.032 of the bill, adding sections to Subchapter D, Chapter 48, Education Code (page 27, lines 68-69), strike "48.155, 48.156, and 48.157" and substitute "48.155 and 48.156".

(6) In SECTION 1.032 of the bill, strike added Section 48.157, Education Code (page 28, lines 10-14).

(7) In SECTION 1.041 of the bill, in added Section 48.277(b)(2), Education Code, strike Paragraph (F) (page 42, lines 60 and 61), substitute "and", and reletter subsequent paragraphs accordingly.

(8) Strike SECTION 2.009 of the bill, adding Sections 21.063 and 21.064, Education Code (page 64, line 68, through page 65, line 19).

(9) Strike SECTION 2.016 of the bill, adding Subchapter P, Chapter 21, Education Code (page 66, line 31, through page 69, line 7).

(10) In SECTION 2.054 of the bill, in amended Section 822.201(b)(6), Government Code (page 82, line 53), strike "former".

(11) Renumber SECTIONS of Article 2 accordingly.

(12) Strike SECTION 3.068 of the bill, amending Section 61.0766(e), Education Code (page 97, lines 37-48), and renumber subsequent SECTIONS of Article 3 accordingly.

(13) In SECTION 5.001 of the bill, in Subsection (a), strike Subdivisions (2) through (9) (page 115, lines 16-23), and renumber subsequent subdivisions of that subsection accordingly.

(14) Strike SECTION 6.004 of the bill (page 116, lines 6-9), and renumber subsequent SECTIONS of the bill accordingly.

MENÉNDEZ
POWELL
ZAFFIRINI

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 11, Nays 20.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor, West.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 9

Amend **CSHB 3** (senate committee report) in SECTION 1.013 of the bill, in transferred, redesignated, and amended Section 48.006(a), Education Code (page 10, lines 2 through 4), by striking "From funds specifically appropriated for the purpose or other funds available to the commissioner for that purpose, the" and substituting "The [~~From funds specifically appropriated for the purpose or other funds available to the commissioner for that purpose, the~~]".

KOLKHORST
LUCIO
ZAFFIRINI

The amendment to **CSHB 3** was read and was adopted by the following vote: Yeas 29, Nays 2.

Yeas: Alvarado, Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Flores, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Paxton, Perry, Powell, Rodríguez, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Fallon, Schwertner.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 10

Amend **CSHB 3** (senate committee printing) in ARTICLE 1 of the bill as follows:

(1) In SECTION 1.015 of the bill, in transferred, redesignated, and amended Section 48.009(b)(4), Education Code (page 11, line 53), strike "and".

(2) In SECTION 1.015 of the bill, in transferred, redesignated, and amended Section 48.009(b)(5), Education Code (page 11, line 63), between "made" and the period, insert the following:

; and

(6) the number of reported incidents of bullying that have occurred at each campus and the number of those incidents of bullying that included cyberbullying

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 10 except as follows:

Nays: Birdwell.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 11

Amend **CSHB 3** (senate committee report) as follows:

(1) In SECTION 1.015 of the bill, in transferred, redesignated, and amended Section 48.009(b)(4), Education Code (page 11, line 53), strike "and".

(2) In SECTION 1.015 of the bill, in transferred, redesignated, and amended Section 48.009(b)(5), Education Code (page 11, line 63), between "made" and the period, insert the following:

;

(6) the number of children who are required to attend school under Section 25.085, are not exempted under Section 25.086, and fail to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year, disaggregated by campus and grade;

(7) the number of students for whom the district initiates a truancy prevention measure under Section 25.0915(a-4), disaggregated by campus and grade;
and

(8) the number of parents of students against whom an attendance officer or other appropriate school official has filed a complaint under Section 25.093, disaggregated by campus and grade

(3) Add the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumber the subsequent SECTIONS of that article accordingly:

SECTION 6.____. Not later than January 1, 2020, the commissioner of education shall adopt rules as required by Section 48.009(b), Education Code, as transferred, redesignated, and amended by this Act.

LUCIO
MENÉNDEZ

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 11.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 12

Amend **CSHB 3** (senate committee printing) as follows:

(1) In SECTION 1.019 of the bill, in transferred and redesignated Section 48.051(a), Education Code (page 12, line 59), strike "For" and substitute "Subject to adjustment under Subsection (a-1), for [~~For~~]".

(2) In SECTION 1.019 of the bill, in transferred and redesignated Section 48.051, Education Code (page 13, line 10), strike "~~[(a-1) Notwithstanding]~~" and substitute the following:

(a-1) Each biennium, the basic allotment provided to a district under Subsection (a) or (b) is adjusted to increase the allotment by the amount, if the amount is greater than zero, equal to 50 percent of the estimated reduction in the cost of the foundation school program to the state from the previous biennium attributable to the rate of growth of the taxable value of property in the state for the current biennium, based on the estimates submitted under Section 48.269. The amount calculated under this subsection for each biennium shall be adjusted by the difference between the estimated cost reduction and actual cost reduction for the previous biennium
~~[Notwithstanding]~~

(3) In SECTION 1.019 of the bill, in transferred and redesignated Section 48.051, Education Code (page 13, line 18), strike "~~["MCR"]~~." and substitute "~~["MCR"]~~".

(4) In SECTION 4.007 of the bill, in transferred and redesignated Section 48.051, Education Code (page 106, line 2), strike "For" and substitute "Subject to adjustment under Subsection (a-1), for [~~For~~]".

(5) In SECTION 4.007 of the bill, in transferred and redesignated Section 48.051, Education Code (page 106, line 23), strike "~~[(a-1) Notwithstanding]~~" and substitute the following:

(a-1) Each biennium, the basic allotment provided to a district under Subsection (a) or (b) is adjusted to increase the allotment by the amount, if the amount is greater than zero, equal to 50 percent of the estimated reduction in the cost of the foundation school program to the state from the previous biennium attributable to the rate of growth of the taxable value of property in the state for the current biennium, based on the estimates submitted under Section 48.269. The amount calculated under this subsection for each biennium shall be adjusted by the difference between the estimated cost reduction and actual cost reduction for the previous biennium
~~[Notwithstanding]~~

(6) In SECTION 4.007 of the bill, in transferred and redesignated Section 48.051, Education Code (page 106, line 31), strike "~~("MCR")~~]" and substitute "~~("MCR")~~".

WATSON
MENÉNDEZ
POWELL

The amendment to **CSHB 3** was read.

Senator Watson withdrew Floor Amendment No. 12.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 13

Amend **CSHB 3** (senate committee report) as follows:

(1) In the recital to SECTION 1.023 of the bill (page 16, line 4), strike "Section 48.103" and substitute "Sections 48.1021 and 48.103".

(2) In SECTION 1.023 of the bill (page 16, between lines 5 and 6), insert the following:

Sec. 48.1021. SPECIAL EDUCATION ALLOTMENT ADVISORY COMMITTEE. (a) The commissioner shall establish an advisory committee to develop and make recommendations regarding methods of financing special education under the public school finance system.

(b) The advisory committee consists of the following members appointed by the commissioner:

(1) a parent of a student eligible to participate in a school district's special education program under Section 29.003;

(2) a director of a school district's special education program under Subchapter A, Chapter 29;

(3) a teacher certified in special education;

(4) a diagnostician;

(5) a licensed specialist in school psychology;

(6) a provider who provides related services, as described by Section 29.002(2);

(7) a superintendent of a school district;

(8) a member of a school district's board of trustees;

(9) a representative of a disability advocacy organization;

(10) a member of the special education continuing advisory committee under Section 29.006;

(11) a teacher certified in general education;

(12) a student eligible to participate in a school district's special education program under Section 29.003;

(13) a representative of a regional education service center; and

(14) a school district official who handles business and finance matters for the district.

(c) Not later than May 1, 2020, the advisory committee, with assistance from the Legislative Budget Board, shall submit to the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over public education a report on methods of financing special education under the public school finance system. The report must include:

(1) a description of the current funding methods;

(2) an analysis of the possible implementation of a method of financing special education based on the services and supports each student receives instead of instructional arrangement;

(3) data on current special education expenditures from a representative sample of school districts; and

(4) recommendations for improvements to the current funding methods or for the implementation of new funding methods.

(d) This section expires September 1, 2021.

(3) Add the following appropriately numbered SECTION to Article 6 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION 6.____. As soon as practicable after the effective date of Section 48.1021, Education Code, as added by this Act, the commissioner of education shall establish and appoint members to the advisory committee required under that section.

(4) In SECTION 7.001(a) of the bill, providing for the effective date of the bill (page 116, line 40), between "(b)" and "of", insert "or (c)".

(5) In SECTION 7.001 of the bill, providing for the effective date of the bill (page 116, between lines 42 and 43), insert the following:

(b) Section 48.1021, Education Code, as added by this Act, takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for Section 48.1021, Education Code, as added by this Act, to have immediate effect, that section takes effect September 1, 2019.

(6) In SECTION 7.001 of the bill, providing for the effective date of the bill (page 116, line 43), strike "(b)" and substitute "(c)".

LUCIO
MENÉNDEZ
ZAFFIRINI

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 13.

Senator West offered the following amendment to the bill:

Floor Amendment No. 14

Amend **CSHB 3** (senate committee printing) in SECTION 1.024 of the bill, in transferred and redesignated Section 48.104, Education Code (page 16, between lines 47 and 48), by inserting the following:

(b-1) A school district must use funds allocated under this section at the district campus at which the student for whom the district receives the allotment under this section is enrolled.

WEST
MENÉNDEZ
MILES
ZAFFIRINI

The amendment to **CSHB 3** was read.

Senator West withdrew Floor Amendment No. 14.

Senator West offered the following amendment to the bill:

Floor Amendment No. 15

Amend **CSHB 3** (senate committee report) as follows:

(1) In SECTION 1.024 of the bill, in transferred, redesignated, and amended Section 48.104(k), Education Code (page 17), strike lines 43 through 62 and substitute the following:

(k) ~~[(e)]~~ Funds allocated under this section, other than an indirect cost allotment established by commissioner rule, which may not exceed 45 percent, must ~~[shall]~~ be used to:

(1) fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Subchapter B, Chapter 39, or disparity in the rates of high school completion between:

(A) students who are educationally disadvantaged and students who are not educationally disadvantaged; and

(B) students at risk of dropping out of school, as defined by Section 29.081, and all other students; or

~~(2) [Specifically, the funds, other than an indirect cost allotment established under State Board of Education rule, which may not exceed 45 percent, may be used to meet the costs of providing a compensatory, intensive, or accelerated instruction program under Section 29.081 or a disciplinary alternative education program established under Section 37.008, to pay the costs associated with placing students in a juvenile justice alternative education program established under Section 37.011, or to] support a program eligible under Title I of the Elementary and Secondary Education Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act, at a campus at which at least 40 percent of the students are educationally disadvantaged].~~

(1) The commissioner shall adopt rules regarding the use of funds described by Subsection (k). The rules:

(1) must:

(A) permit a school district to use those funds for programs and services that reflect the needs of students at each campus in the district; and

(B) provide for streamlined reporting on the use of those funds; and

(2) may not prohibit the use of those funds for any purpose for which the use of those funds was authorized under former Section 42.152 as that section existed on September 1, 2018.

(m) The State Board of Education shall adopt rules requiring a report on the use of funds under Subsection (k) as part of the annual audit under Section 44.008 and shall develop minimum requirements for that report.

(n) The commissioner annually shall review each report required under Subsection (m) for the preceding school year and:

(1) identify each school district that was not in compliance with Subsection (k) during that school year; and

(2) provide each district identified under Subdivision (1) a reasonable opportunity to comply with Subsection (k).

(o)

(2) In SECTION 1.024 of the bill, in transferred, redesignated, and amended Section 48.104, Education Code (page 19), strike lines 9 through 16 and substitute the following:

[(q-4)] The commissioner, in the year following a determination under Subsection (n) that a school district was not in compliance with Subsection (k) for the 2021-2022 school year or a subsequent school year [local audit of compensatory education expenditures], shall withhold from the [a] district's foundation school fund payment an amount equal to the amount of compensatory education funds the commissioner [agency] determines were not used in compliance with Subsection (k) [(e)]. The commissioner shall release to a district funds withheld under this subsection when the district provides to the commissioner a detailed plan to spend those funds in compliance with Subsection (k) [(e)]. In determining whether a school district is subject to the withholding of funding required under this subsection, the commissioner may consider the district's average use of funds for the three preceding school years.

(3) In SECTION 1.025 of the bill, in transferred, redesignated, and amended Section 48.105, Education Code (page 19, line 34), strike "[a]" and substitute "(a)".

(4) In SECTION 1.025 of the bill, in transferred, redesignated, and amended Section 48.105, Education Code (page 19), strike lines 47 through 58 and substitute the following:

(b) Funds allocated under this section, other than an indirect cost allotment established under commissioner [State Board of Education] rule, which may not exceed 45 percent, must be used in providing bilingual education or special language programs under Subchapter B, Chapter 29[, and must be accounted for under existing agency reporting and auditing procedures].

[(e)] A district's bilingual education or special language allocation may be used only for program and student evaluation, instructional materials and equipment, staff development, supplemental staff expenses, salary supplements for teachers, incremental costs associated with providing smaller class sizes, and other supplies required for quality instruction [and smaller class size].

(c) The State Board of Education shall adopt rules requiring a report on the use of funds under Subsection (b) as part of the annual audit under Section 44.008 and shall develop minimum requirements for that report.

(d) The commissioner annually shall review each report required under Subsection (c) for the preceding school year and:

(1) identify each school district that was not in compliance with Subsection (b) during that school year; and

(2) provide each district identified under Subdivision (1) a reasonable opportunity to comply with Subsection (b).

(e) The commissioner, in the year following a determination under Subsection (d) that a school district was not in compliance with Subsection (b) for the 2021-2022 school year or a subsequent school year, shall withhold from the district's foundation school fund payment an amount equal to the amount of bilingual education or special language funds the commissioner determines were not used in compliance with Subsection (b). The commissioner shall release to a district funds withheld under this subsection when the district provides to the commissioner a detailed plan to spend those funds in compliance with Subsection (b). In determining whether a school district is subject to the withholding of funding required under this subsection, the commissioner may consider the district's average use of funds for the three preceding school years.

WEST
MENÉNDEZ
ZAFFIRINI

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 16

Amend **CSHB 3** (senate committee report) in SECTION 1.025 of the bill, in transferred, redesignated, and amended Section 48.105, Education Code, by striking Subdivisions (1) and (2) (page 19, lines 38-46) and substituting the following:

(1) for a student of limited English proficiency, as defined by Section 29.052:

(A) 0.15; or

(B) 0.25 if the student is in a bilingual education program using a dual language immersion/one-way or two-way program model; and

(2) for a student not described by Subdivision (1), 0.05 if the student is in a bilingual education program using a dual language immersion/two-way program model [0.1].

RODRÍGUEZ
MENÉNDEZ
WEST
ZAFFIRINI

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 17

Amend **CSHB 3** (senate committee report) in SECTION 1.025 of the bill, in transferred, redesignated, and amended Section 48.105, Education Code (page 19), as follows:

(1) On line 34, strike "~~(e)~~" and substitute "(a)".

(2) Strike lines 47 through 58 and substitute the following:

(b) ~~At least 52 percent of the funds [Funds] allocated under this section [other than an indirect cost allotment established under State Board of Education rule,] must be used in providing bilingual education or special language programs under Subchapter B, Chapter 29 [and must be accounted for under existing agency reporting and auditing procedures].~~

~~(e)~~ A district's bilingual education or special language allocation may be used only for program and student evaluation, instructional materials and equipment, staff development, supplemental staff expenses, salary supplements for teachers, incremental costs associated with providing smaller class sizes, and other supplies required for quality instruction [and smaller class size].

LUCIO
MENÉNDEZ

The amendment to **CSHB 3** was read.

Senator Lucio withdrew Floor Amendment No. 17.

Senator Miles offered the following amendment to the bill:

Floor Amendment No. 18

Amend **CSHB 3** (senate committee report) in SECTION 1.025 of the bill, in transferred, redesignated, and amended Section 48.106, Education Code, by striking page 20, lines 9 through 24, and substituting the following:

(c) ~~At least 58 percent of the funds [Funds] allocated under this section [other than an indirect cost allotment established under State Board of Education rule,] must be used in providing career and technology education programs in grades 9 [nine] through 12 or career and technology education programs for students with disabilities in grades 7 [seven] through 12 under Sections 29.182, 29.183, and 29.184.~~

(d) Out of the total statewide allotment for career and technology education under this section, the commissioner shall annually set aside \$8 million to fund the grant program for P-TECH schools under Section 29.556, in addition to other funds appropriated for that purpose. After deducting the amount set aside under this

subsection from the total statewide allotment for career and technology education under this section, the commissioner shall proportionately reduce each school district's allotment under this section and allocate funds to each district accordingly.
~~The commissioner shall conduct a cost benefit~~

MILES
 MENÉNDEZ

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 13, Nays 18.

Yeas: Alvarado, Hinojosa, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 19

Amend **CSHB 3** (senate committee report) in SECTION 1.027 of the bill, in added Section 48.109, Education Code (page 22, between lines 43 and 44), by inserting the following appropriately lettered subsection:

() If a school district elects to administer an alternative third grade reading assessment instrument adopted under Subsection (e), the agency shall pay the district's cost of obtaining the assessment instrument.

WATSON
 MENÉNDEZ
 MILES

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 19 except as follows:

Nays: Campbell.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 20

Amend **CSHB 3** (senate committee report) in SECTION 1.027 of the bill, in added Section 48.109, Education Code (page 22, between lines 43 and 44), by inserting the following appropriately lettered subsection:

() Funds allocated under this section must be used to fund programs and services designed to improve student performance in reading in prekindergarten through third grade, such as programs and services designed to assist the district in achieving the goals set in the district's early childhood literacy plan adopted under Section 11.256 or services designed to improve support for children three years of age or younger who are not enrolled in prekindergarten.

WATSON
 MENÉNDEZ

MILES
ZAFFIRINI

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 20.

Senator Rodriguez offered the following amendment to the bill:

Floor Amendment No. 21

Amend **CSHB 3** (senate committee printing) as follows:

(1) In SECTION 1.027 of the bill, strike added Section 48.112, Education Code (page 23, line 44, through page 24, line 23), and substitute the following:

Sec. 48.112. EDUCATOR EFFECTIVENESS ALLOTMENT. (a) A school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.012:

(1) for each student in average daily attendance at a district campus that is located in a census block assigned the greatest weight for the compensatory education allotment under Section 48.104(b); or

(2) if the district qualifies as a rural school district, for each student in average daily attendance in the district.

(b) A school district campus may not receive an allotment under both Subsections (a)(1) and (2).

(c) Funding allocated under this section must be used to incentivize and provide pay increases to effective classroom teachers to teach:

(1) at high needs campuses;

(2) at rural districts or schools; and

(3) in areas experiencing a critical shortage of teachers.

(d) A school district that receives funding under this section shall:

(1) use a collaborative process that includes educators, parents, and community members to develop a method to identify effective classroom teachers within and outside the district;

(2) develop a policy that:

(A) allows for effective classroom teachers identified by the district to apply to teach:

(i) at high needs campuses;

(ii) at rural districts or schools; or

(iii) in areas experiencing a critical shortage of teachers; and

(B) clearly provides the methods through which the district's use of funding provided under this section increases the compensation available for eligible classroom teachers; and

(3) post the policy developed under Subdivision (2) on the district's Internet website.

(e) The agency shall conduct an evaluation of the effectiveness of the educator effectiveness allotment. A school district that receives funding under this section shall participate in the evaluation.

(f) Information received by the agency under Subsection (e) is confidential and may not be used in evaluating individual teachers.

(2) In SECTION 1.032 of the bill, in the recital language (page 27, lines 68-69), strike "48.155, 48.156, and 48.157" and substitute "48.155 and 48.156".

(3) In SECTION 1.032 of the bill, strike added Section 48.157, Education Code (page 28, lines 10-14).

(4) In SECTION 1.041 of the bill, in added Section 48.277(b)(2)(F), Education Code (page 42, line 60), strike "teacher incentive" and substitute "educator effectiveness".

(5) Strike SECTION 2.009 of the bill, adding Sections 21.063 and 21.064, Education Code (page 64, line 68, through page 65, line 19).

(6) Strike SECTION 2.016 of the bill, adding Subchapter P, Chapter 21, Education Code (page 66, line 31, through page 69, line 7).

(7) In SECTION 2.054 of the bill, in amended Section 822.201(b)(6), Government Code (page 82, line 53), strike "former".

(8) Renumber SECTIONS of Article 2 accordingly.

(9) Strike SECTION 3.068 of the bill, amending Section 61.0766(e), Education Code (page 97, lines 37-48), and renumber subsequent SECTIONS of Article 3 accordingly.

(10) In SECTION 5.001 of the bill, in Subsection (a), strike Subdivisions (2) through (9) (page 115, lines 16-23) and renumber subsequent subdivisions of that subsection accordingly.

(11) Strike SECTION 6.004 of the bill (page 116, lines 6-9) and renumber subsequent SECTIONS of the bill accordingly.

RODRÍGUEZ
MENÉNDEZ
POWELL
ZAFFIRINI

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 22

Amend **CSHB 3** (senate committee printing) in SECTION 1.027 of the bill, in added Section 48.112(g), Education Code, by striking Subdivision (1) (page 24, lines 18-19) and substituting the following:

(1) at least 90 percent of each allotment received under Subsection (b) was used for the compensation of teachers employed at the campus of the district at which the teacher for whom the district received the allotment is employed; and

LUCIO

MENÉNDEZ
ZAFFIRINI

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 22.

Senator West offered the following amendment to the bill:

Floor Amendment No. 23

Amend **CSHB 3** (senate committee printing) in SECTION 1.027 of the bill, in added Section 48.113, Education Code (page 24, starting on line 36) insert the following:

Sec. 48.113. ACCELERATED CAMPUS EXCELLENCE ALLOTMENT. (a) A school district is entitled to an allotment equal to the basic allotment multiplied by 0.1 for each student in average daily attendance at a district campus that:

(1) has submitted and received approval for:

(A) a campus turnaround plan that the commissioner determines meets the requirements for an accelerated campus excellence turnaround plan under Section 39A.105(b); or

(B) a campus implementation plan that includes the provisions required for an accelerated campus excellence turnaround plan under Section 39A.105(b); and

(2) received a performance rating of unacceptable or improvement required in at least one of the last five school years, provided, that if a campus has received a performance rating of unacceptable or improvement required for 4 out of the last 6 years, that campus shall instead be entitled to the allotment in subsection (b).

(b) A school district is entitled to an allotment equal to the basic allotment multiplied by 0.15 for each student in average daily attendance at a district campus that:

(1) has submitted and received approval for:

(A) a campus turnaround plan that the commissioner determines meets the requirements for an accelerated campus excellence turnaround plan under Section 39A.105(b); or

(B) a campus implementation plan that includes the provisions required for an accelerated campus excellence turnaround plan under Section 39A.105(b); and

(2) received a performance rating of unacceptable or improvement required in at least 4 of the last 6 school years.

(bc) A school district may not receive an allotment under this section for more than five school years.

WEST
MENÉNDEZ
MILES

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 23.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 24

Amend to **CSHB 3** (senate committee report) as follows:

(1) In the recital to SECTION 1.027 of the bill (page 21, line 9), strike "and 48.113" and substitute "48.113, and 48.114".

(2) In SECTION 1.027 of the bill (page 24, between lines 38 and 39), insert the following:

Sec. 48.114. MENTOR PROGRAM ALLOTMENT. (a) A school district that has implemented a mentoring program for classroom teachers who have less than two years of teaching experience under Section 21.458 is entitled to an allotment as determined under Subsection (b) to fund the mentoring program and to provide stipends for mentor teachers.

(b) The commissioner shall adopt a formula to determine the amount to which each district described by Subsection (a) is entitled.

(c) Funding provided to districts under this section may be used only for providing:

(1) mentor teacher stipends;

(2) scheduled release time for mentor teachers and the classroom teachers to whom they are assigned for meeting and engaging in mentoring activities; and

(3) mentoring support through providers of mentor training.

(3) Add the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION (). Section 21.458, Education Code, is amended by adding Subsections (a-1), (b-1), (f), (f-1), and (g) and amending Subsections (b) and (d) to read as follows:

(a-1) To be assigned as a mentor, a teacher must agree to serve as a mentor teacher for at least one school year. The assignment must begin not later than the 30th day of employment of the classroom teacher to whom the mentor teacher is assigned. A district must agree to assign a mentor to a new classroom teacher for at least two school years.

(b) The commissioner shall adopt rules necessary to administer this section, including rules concerning the duties and qualifications of a teacher who serves as a mentor and the number of classroom teachers that may be assigned to a mentor. The rules concerning qualifications must require that to serve as a mentor a teacher must:

(1) complete a research-based mentor and induction training program approved by the commissioner;

(2) complete a mentor training program provided by the district; ~~and~~

(3) have at least three complete years of teaching experience with a superior record of assisting students, as a whole, in achieving improvement in student performance; and

(4) demonstrate interpersonal skills, instructional effectiveness, and leadership skills.

(b-1) A school district must provide training to mentor teachers and any appropriate district and campus employees who work with the classroom teacher or supervise the classroom teacher. The training must be completed by the mentor teacher and the district and campus employees before the beginning of the school

year. The district shall also provide supplemental training to mentor teachers and employees during the school year. The training must include content related to best mentorship practices.

(d) In adopting rules under this section [~~Subsection (e)~~], the commissioner shall rely on research-based mentoring programs that, through external evaluation, have demonstrated success.

(f) A mentor teacher must meet with each classroom teacher assigned to the mentor not less than 12 hours each semester. Observations of the mentor by the classroom teacher being mentored or of the classroom teacher being mentored by the mentor may count toward the 12 hours of meeting time required for the semester. Except as provided by Subsection (f-1), the mentoring sessions must address the following topics:

- (1) orientation to the context, policies, and practices of the school district;
- (2) data-driven instructional practices;
- (3) specific instructional coaching cycles, including coaching regarding conferences between parents and the classroom teacher;
- (4) professional development; and
- (5) professional expectations.

(f-1) Subject to approval by the agency, in determining the topics to be addressed in the mentoring sessions, a school district may create an appropriate curriculum that meets the district needs.

(g) A school district must:

- (1) designate a specific time during the regularly contracted school day for meetings between mentor teachers and classroom teachers assigned to a mentor; and
- (2) schedule release time or a reduce teaching load for mentor teachers and classroom teachers under this section to facilitate mentoring activities, including classroom observations or participation in supportive coaching.

(4) In ARTICLE 5 of the bill, SECTION 5.001(a) of that article repealing provisions of the Education Code, insert the following appropriately numbered subdivision and renumber the subdivisions of the subsection accordingly:

() Section 21.458(c);

LUCIO
MENÉNDEZ

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 24.

Senator West offered the following amendment to the bill:

Floor Amendment No. 25

Amend **CSHB 3** (senate committee printing) in SECTION 1.024 of the bill, in transferred and redesigned Section 48.104, Education Code (page 16, between lines 47 and 48), by inserting the following:

(b-1) A school district must use at least 90 percent of the funds allocated under this section at the district campus at which the student for whom the district receives the allotment under this section is enrolled.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 25.

Senator Buckingham offered the following amendment to the bill:

Floor Amendment No. 26

Amend **CSHB 3** (senate committee printing) as follows:

(1) Strike the recital to SECTION 1.036 of the bill (page 30, lines 28-32) and substitute the following:

SECTION 1.036. Sections 42.251, 42.2511, 42.2514, and 42.2515, Education Code, are transferred to Subchapter F, Chapter 48, Education Code, as added by this Act, redesignated as Sections 48.251, 48.252, 48.253, and 48.254, Education Code, and amended to read as follows:

(2) In SECTION 1.036 of the bill, strike transferred, redesignated, and amended Section 48.255, Education Code (page 31, lines 32-54).

(3) In the recital to SECTION 1.037 of the bill (page 31, line 55), strike "Effective September 1, 2020,".

(4) In SECTION 1.037 of the bill, in transferred, redesignated, and amended Section 48.255(b)(1), Education Code (page 31, line 67), strike "100" and substitute "92".

(5) Strike SECTION 6.001 of the bill (page 115, lines 64-68) and substitute the following:

SECTION 6.001. Articles 1, 2, and 3 of this Act apply beginning with the 2020-2021 school year.

(6) Strike SECTION 7.001 of the bill (page 116, lines 40-47) and substitute the following:

SECTION 7.001. Except as otherwise provided by this Act, Section 1.037 and Article 4 of this Act take effect September 1, 2019.

(7) Strike SECTION 7.002 of the bill (page 116, lines 48-50) and renumber subsequent SECTIONS of that article accordingly.

(8) In SECTION 7.003 of the bill, strike Subsection (a) (page 116, lines 51-57) and substitute the following:

(a) Except as provided by Subsection (b) of this section or as otherwise provided by this Act:

(1) Articles 1, 2, and 3 and Sections 4.006, 4.018, and 4.019 of this Act take effect on the date on which the constitutional amendment proposed by __.J.R. __, 86th Legislature, Regular Session, 2019, takes effect; and

(2) if that amendment is not approved by the voters, those provisions have no effect.

The amendment to **CSHB 3** was read.

Senator Buckingham withdrew Floor Amendment No. 26.

Senator Kolkhorst offered the following amendment to the bill:

Floor Amendment No. 27

Amend **CSHB 3** (senate committee report) in SECTION 1.040 of the bill, in transferred, redesignated, and amended Section 48.261(e), Education Code, by striking page 35, lines 33 through 36, and substituting the following:

~~[(h)]~~ The commissioner shall adopt rules necessary to implement this section, including rules:

(1) defining "disaster remediation costs" for purposes of this section, which must include the cost to repair or replace vehicles or computers damaged in the disaster; and

(2) specifying the type of documentation required under Subsection (d) ~~[(e)]~~.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 27.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 28

Amend **CSHB 3** (senate committee printing) in SECTION 1.040 of the bill, in transferred and redesignated Section 48.272, Education Code (page 39, between lines 19 and 20), by inserting the following:

(a-1) Notwithstanding any other provision of this section, the agency may not recover an overallocation of state funds from a school district for a school year in an amount that exceeds one percent of the district's entitlement for that school year.

WATSON
MENÉNDEZ
POWELL

The amendment to **CSHB 3** was read.

Senator Watson withdrew Floor Amendment No. 28.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 29

Amend **CSHB 3** (senate committee printing) as follows:

(1) In SECTION 1.041 of the bill, in added Section 48.277(b)(2)(G), Education Code (page 42, line 62), strike "teacher" and substitute "teacher, school counselor,".

(2) In SECTION 1.041 of the bill, in the heading to added Section 48.280, Education Code (page 43, line 64), strike "TEACHER" and substitute "TEACHER, SCHOOL COUNSELOR,".

(3) In SECTION 1.041 of the bill, in Section 48.280(a)(1), Education Code (page 43, line 66), strike "teacher" and substitute "teacher, school counselor,".

(4) In SECTION 1.041 of the bill, in added Section 48.280(a)(2), Education Code (page 43, line 68), strike "teachers" and substitute "teachers, full-time school counselors certified under Subchapter B, Chapter 21,".

(5) In SECTION 1.041 of the bill, in added Section 48.280(d), Education Code (page 44, lines 18 and 19), strike "classroom teacher and full-time librarian salaries and benefits" and substitute "salaries and benefits for classroom teachers, full-time school counselors certified under Subchapter B, Chapter 21, and full-time librarians".

(6) In SECTION 2.013 of the bill, strike added Section 21.4023, Education Code (page 65, line 68 through page 66, line 12) and substitute the following:

Sec. 21.4023. CLASSROOM TEACHER, SCHOOL COUNSELOR, AND LIBRARIAN SALARY INCREASE. (a) A classroom teacher, full-time school counselor certified under Subchapter B, or full-time librarian employed by a school district or open-enrollment charter school in the 2019-2020 school year is, as long as the teacher, counselor, or librarian is employed by the same district or school, entitled to a salary that is at least equal to the salary the teacher, counselor, or librarian received for the 2019-2020 school year.

(a-1) For the 2019-2020 school year, a school district or open-enrollment charter school shall increase the salary of each classroom teacher, full-time school counselor certified under Subchapter B, and full-time librarian employed by the district or school in the 2018-2019 school year by at least \$5,000. This subsection expires September 1, 2020.

(b) The commissioner may adopt rules as necessary to implement this section.

(7) In SECTION 2.054 of the bill, in added Section 822.201(b)(12), Government Code (page 83, line 3), strike "teachers" and substitute "teachers, school counselors,".

LUCIO
MENÉNDEZ
MILES
ZAFFIRINI

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 30

Amend **CSHB 3** (senate committee printing) as follows:

(1) In SECTION 1.041 of the bill, in added Section 48.277(b)(2)(G), Education Code (page 42, line 62), strike "classroom teacher and librarian" and substitute "professional employee".

(2) In SECTION 1.041 of the bill, in the heading to added Section 48.280, Education Code (page 43, line 64), strike "CLASSROOM TEACHER AND LIBRARIAN" and substitute "PROFESSIONAL EMPLOYEE".

(3) In SECTION 1.041 of the bill, in added Section 48.280(a)(1), Education Code (page 43, line 66), strike "classroom teacher and librarian" and substitute "professional employee".

(4) In SECTION 1.041 of the bill, in added Section 48.280(a)(2), Education Code (page 43, lines 68 and 69), strike "classroom teachers and full-time librarians" and substitute "employees subject to the minimum salary schedule under Section 21.402".

(5) In SECTION 1.041 of the bill, in added Section 48.280(d), Education Code (page 44, lines 18 and 19), strike "classroom teacher and full-time librarian salaries and benefits" and substitute "salaries and benefits for employees subject to the minimum salary schedule under Section 21.402".

(6) In SECTION 2.013 of the bill, in the heading to Section 21.4023, Education Code (page 65, line 68), strike "CLASSROOM TEACHER AND LIBRARIAN" and substitute "PROFESSIONAL EMPLOYEE".

(7) In SECTION 2.013 of the bill, in added Section 21.4023(a), Education Code (page 65, line 69), strike "A classroom teacher or full-time librarian" and substitute "An employee subject to the minimum salary schedule under Section 21.402".

(8) In SECTION 2.013 of the bill, in added Section 21.4023(a), Education Code (page 66, line 2), strike "teacher or librarian" and substitute "employee".

(9) In SECTION 2.013 of the bill, in added Section 21.4023(a), Education Code (page 66, line 4), strike "teacher or librarian" and substitute "employee".

(10) In SECTION 2.013 of the bill, in added Section 21.4023(a-1), Education Code (page 66, line 8), strike "classroom teacher and full-time librarian" and substitute "employee subject to the minimum salary schedule under Section 21.402".

(11) In SECTION 2.054 of the bill, in added Section 822.201(b)(12), Government Code (page 83, lines 3 and 4), strike "classroom teachers and librarians" and substitute "certain professional employees".

ZAFFIRINI
LUCIO
MENÉNDEZ
MILES

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator West offered the following amendment to the bill:

Floor Amendment No. 31

Amend **CSHB 3** (senate committee printing) in SECTION 1.041 of the bill, by striking added Sections 48.277(c) and (d), Education Code (page 43, lines 5-8).

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 14, Nays 17.

Yeas: Alvarado, Hinojosa, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Perry, Powell, Rodríguez, Seliger, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Schwertner, Taylor, Watson.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 32

Amend **CSHB 3** (senate committee report) in SECTION 1.041 of the bill, in added Section 48.279, Education Code, as follows:

(1) In Subsection (b), strike page 43, lines 38 through 40 and substitute the following:

proportionately increase funding for the special education allotment under Section 48.102 for the first state fiscal year of that biennium by the total amount necessary to ensure compliance with 20 U.S.C. Section 1412(a)(18).

(2) Strike Subsection (f) (page 43, lines 61 through 63).

LUCIO
MENÉNDEZ

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 33

Amend **CSHB 3** (senate committee printing) in SECTION 1.041 of the bill, in added Section 48.280(a)(2), Education Code (page 43, line 69, through page 44, line 1), by striking "in the 2018-2019 school year".

WATSON
LUCIO
MENÉNDEZ
ZAFFIRINI

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 33.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 34

Amend **CSHB 3** (senate committee printing), in SECTION 1.050 of the bill, in transferred and redesignated Section 49.154, Education Code, by striking page 49, lines 57-59 and substituting the following:

shall pay for credit [~~credits~~] purchased:

(1) in equal monthly payments as determined by the commissioner beginning February 15 and ending August 15 of the school year for which the agreement is in effect; or

(2) in one payment for the total amount required to be paid by the district not later than August 15 of the school year for which the agreement is in effect.

(a-2) If a school district elects to pay for credit purchased in the manner provided by Subsection (a)(2), the district must notify the commissioner not later than February 15 of the school year for which the agreement is in effect.

WATSON
MENÉNDEZ
PERRY
POWELL

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 34.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 35

Amend **CSHB 3** (house committee printing) by adding the following appropriately numbered SECTION to Article 1 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 1. ____. Subchapter F, Chapter 48, Education Code, as added by this Act, is amended by adding Section 48.2542 to read as follows:

Sec. 48.2542. ADDITIONAL STATE AID FOR CERTAIN DISTRICTS THAT ARE ONLY DISTRICT IN COUNTY. (a) Notwithstanding any other provision of this title, a school district with a student enrollment of less than 300 that is the only school district located and operating in a county is entitled to not less than the amount of state and local revenue, excluding any amount of revenue used by the district to comply with Chapter 49, to which the district was entitled for the 2019-2020 school year.

(b) The commissioner shall adjust the entitlement under Subchapter B of a district to which this section applies as necessary to comply with this section.

The amendment to **CSHB 3** was read.

Senator Perry withdrew Floor Amendment No. 35.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 36

Amend **CSHB 3** (senate committee report) as follows:

(1) Add the following appropriately numbered SECTION to Article 1 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION 1. _____. (a) Effective September 1, 2019, Section 12.106, Education Code, is amended by amending Subsection (a) and adding Subsection (a-3) to read as follows:

(a) A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 48 [~~42~~] equal to the amount of funding per student in weighted average daily attendance, excluding the adjustment under Section 48.052, the allotments under Sections 48.101, 48.110, 48.111, and 48.112, and enrichment funding under Section 48.202(a) [~~42.302(a)~~], to which the charter holder would be entitled for the school under Chapter 48 [~~42~~] if the school were a school district without a tier one local share for purposes of Section 48.266 [~~42.253~~].

(a-3) In addition to the funding provided by Subsections (a), (a-1), and (a-2), a charter holder is entitled to receive funding for the open-enrollment charter school under Sections 48.110 and 48.112 and Subchapter D, Chapter 48, if the charter holder would be entitled to the funding if the school were a school district.

(b) Effective September 1, 2024, Section 12.106, Education Code, is amended by amending Subsection (a) and adding Subsection (a-3) to read as follows:

(a) A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 48 [~~42~~] equal to the amount of funding per student in weighted average daily attendance, excluding the adjustment under Section 48.052, the allotments under Sections 48.101, 48.109, 48.110, 48.111, and 48.112, and enrichment funding under Section 48.202(a) [~~42.302(a)~~], to which the charter holder would be entitled for the school under Chapter 48 [~~42~~] if the school were a school district without a tier one local share for purposes of Section 48.266 [~~42.253~~].

(a-3) In addition to the funding provided by Subsections (a), (a-1), and (a-2), a charter holder is entitled to receive funding for the open-enrollment charter school under Sections 48.109, 48.110, and 48.112 and Subchapter D, Chapter 48, if the charter holder would be entitled to the funding if the school were a school district.

(2) Strike the recital to SECTION 1.001 of the bill (page 1, lines 27 through 29), and substitute "Section 12.106, Education Code, is amended by amending Subsections (a-1) and (a-2) and adding Subsection (a-4) to read as follows:".

(3) In SECTION 1.001 of the bill, in amended Section 12.106, Education Code, strike the following subsections:

(A) Subsection (a) (page 1, lines 30 through 39); and

(B) Subsection (a-3) (page 2, lines 5 through 10).

(4) Strike the recital to SECTION 1.027 of the bill (page 21, lines 7 through 9) and substitute "Effective September 1, 2024, Subchapter C, Chapter 48, Education Code, as added by this Act, is amended by adding Section 48.109 to read as follows:".

(5) On page 22, between lines 43 and 44, insert the following, appropriately numbered:

SECTION 1. _____. Subchapter C, Chapter 48, Education Code, as added by this Act, is amended by adding Sections 48.110, 48.111, 48.112, and 48.113 to read as follows:

(6) In SECTION 1.041 of the bill, in added Section 48.277(b)(2), Education Code, strike Paragraph (D) (page 42, lines 56 and 57) and reletter subsequent paragraphs accordingly.

(7) In the recital to SECTION 2.001 of the bill, adding Section 4.003, Education Code (page 62, line 42), between the period and "Chapter", insert "(a) Effective September 1, 2019,".

(8) In SECTION 2.001 of the bill, in added Section 4.003(1), Education Code (page 62, lines 51 and 52), strike "a third grade reading assessment instrument described by Section 48.109(b)" and substitute "the third grade reading assessment instrument administered under Section 39.023".

(9) In SECTION 2.001 of the bill (page 62, between lines 56 and 57), insert the following:

(b) Effective September 1, 2024, Chapter 4, Education Code, is amended by adding Section 4.003 to read as follows:

Sec. 4.003. 60x30TX GOALS. To further the state's master plan developed under Section 61.051 for at least 60 percent of all adults aged 25 to 34 in this state to achieve a postsecondary degree or workforce credential by 2030, the following goals are established:

(1) at least 60 percent of all public school students in each demographic category considered under Section 39.053(c)(3) shall perform satisfactorily on a third grade reading assessment instrument described by Section 48.109(b) by 2030; and

(2) at least 60 percent of all public school students in each demographic category considered under Section 39.053(c)(3) who graduate high school shall meet college, career, and military readiness standards as provided by Section 48.110(e) by 2030.

WATSON
MENÉNDEZ

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 13, Nays 18.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Seliger, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Taylor.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 37

Amend **CSHB 3** (senate committee report) as follows:

(1) Add the following appropriately numbered SECTION to Article 1 of the bill: SECTION 1. ____. (a) Effective September 1, 2019, Section 12.106, Education Code, is amended by amending Subsection (a) and adding Subsection (a-3) to read as follows:

(a) A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 48 [~~42~~] equal to the amount of funding per student in weighted average daily attendance, excluding the adjustment under Section 48.052, the

allotments under Sections 48.101, 48.109, 48.111, and 48.112, and enrichment funding under Section 48.202(a) [42.302(a)], to which the charter holder would be entitled for the school under Chapter 48 [42] if the school were a school district without a tier one local share for purposes of Section 48.266 [42.253].

(a-3) In addition to the funding provided by Subsections (a), (a-1), and (a-2), a charter holder is entitled to receive funding for the open-enrollment charter school under Sections 48.109 and 48.112 and Subchapter D, Chapter 48, if the charter holder would be entitled to the funding if the school were a school district.

(b) Effective September 1, 2024, Section 12.106, Education Code, is amended by amending Subsection (a) and adding Subsection (a-3) to read as follows:

(a) A charter holder is entitled to receive for the open-enrollment charter school funding under Chapter 48 [42] equal to the amount of funding per student in weighted average daily attendance, excluding the adjustment under Section 48.052, the allotments under Sections 48.101, 48.109, 48.110, 48.111, and 48.112, and enrichment funding under Section 48.202(a) [42.302(a)], to which the charter holder would be entitled for the school under Chapter 48 [42] if the school were a school district without a tier one local share for purposes of Section 48.266 [42.253].

(a-3) In addition to the funding provided by Subsections (a), (a-1), and (a-2), a charter holder is entitled to receive funding for the open-enrollment charter school under Sections 48.109, 48.110, and 48.112 and Subchapter D, Chapter 48, if the charter holder would be entitled to the funding if the school were a school district.

(2) Strike the recital to SECTION 1.001 of the bill (page 1, lines 27 through 29), and substitute "Section 12.106, Education Code, is amended by amending Subsections (a-1) and (a-2) and adding Subsection (a-4) to read as follows:".

(3) In SECTION 1.001 of the bill, in amended Section 12.106, Education Code, strike the following subsections:

(A) Subsection (a) (page 1, lines 30 through 39); and

(B) Subsection (a-3) (page 2, lines 5 through 10).

(4) Strike the recital to SECTION 1.027 of the bill (page 21, lines 7 through 9) and substitute "Subchapter C, Chapter 48, Education Code, as added by this Act, is amended by adding Section 48.109 to read as follows:".

(5) On page 22, between lines 43 and 44, insert the following, appropriately numbered:

SECTION 1.__. Effective September 1, 2024, Subchapter C, Chapter 48, Education Code, as added by this Act, is amended by adding Section 48.110 to read as follows:

(6) On page 23, between lines 36 and 37, insert the following appropriately numbered SECTION:

SECTION 1.__. Subchapter C, Chapter 48, Education Code, as added by this Act, is amended by adding Sections 48.1101, 48.111, 48.112, and 48.113 to read as follows:

Sec. 48.1101. COLLEGE, CAREER, OR MILITARY READINESS TRANSITION ALLOTMENT. (a) Each year, the commissioner shall distribute \$400 million to school districts and open-enrollment charter schools allocated as follows:

(1) one-half to districts and schools at or below the 25th percentile of statewide college, career, or military readiness for annual graduates as described by Subsection (d) for the 2016-2017 school year; and

(2) the remainder to districts and schools above the 25th percentile of statewide college, career, or military readiness for annual graduates as described by Subsection (d) for the 2016-2017 school year.

(b) The amount awarded to a school district or open-enrollment charter school under Subsection (a)(1) is based on the proportion of students enrolled in high school in the district or school as compared to total students enrolled in high school in districts and schools at or below the 25th percentile of statewide college, career, or military readiness for annual graduates. The amount awarded to a school district or open-enrollment charter school under Subsection (a)(2) is based on the proportion of students enrolled in high school in the district or school as compared to total students enrolled in high school in districts and schools above the 25th percentile of statewide college, career, or military readiness for annual graduates.

(c) Funds distributed under this section must be used to improve college, career, or military readiness as described by Subsection (d).

(d) For purposes of this section, an annual graduate demonstrates:

(1) college readiness if the annual graduate:

(A) achieves a minimum score set by commissioner rule on the ACT, the SAT, or an assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.334; and

(B) during a time period established by commissioner rule, enrolls at a postsecondary educational institution;

(2) career readiness if the annual graduate:

(A) achieves a minimum score set by commissioner rule on the ACT, the SAT, or an assessment instrument designated by the Texas Higher Education Coordinating Board under Section 51.334; and

(B) during a time period established by commissioner rule, earns an industry-accepted certificate; and

(3) military readiness if the annual graduate:

(A) achieves a minimum score set by commissioner rule on the Armed Services Vocational Aptitude Battery; and

(B) during a time period established by commissioner rule, enlists in the armed forces of the United States.

(e) This section expires September 1, 2024.

(7) In SECTION 1.041 of the bill, in added Section 48.277(b)(2), Education Code, strike Paragraph (E) (page 42, lines 58 and 59) and reletter subsequent paragraphs accordingly.

(8) In the recital to SECTION 2.001 of the bill, adding Section 4.003, Education Code (page 62, line 42), between the period and "Chapter", insert "(a) Effective September 1, 2019,".

(9) In SECTION 2.001 of the bill, in added Section 4.003(2), Education Code (page 62, line 56), strike "as provided by Section 48.110(e)".

(10) In SECTION 2.001 of the bill (page 62, between lines 56 and 57), insert the following:

(b) Effective September 1, 2024, Chapter 4, Education Code, is amended by adding Section 4.003 to read as follows:

Sec. 4.003. 60x30TX GOALS. To further the state's master plan developed under Section 61.051 for at least 60 percent of all adults aged 25 to 34 in this state to achieve a postsecondary degree or workforce credential by 2030, the following goals are established:

(1) at least 60 percent of all public school students in each demographic category considered under Section 39.053(c)(3) shall perform satisfactorily on a third grade reading assessment instrument described by Section 48.109(b) by 2030; and

(2) at least 60 percent of all public school students in each demographic category considered under Section 39.053(c)(3) who graduate high school shall meet college, career, and military readiness standards as provided by Section 48.110(e) by 2030.

(11) Renumber SECTIONS of the bill accordingly.

WATSON
MENÉNDEZ

The amendment to **CSHB 3** was read.

Senator Watson withdrew Floor Amendment No. 37.

Senator Johnson offered the following amendment to the bill:

Floor Amendment No. 38

Amend **CSHB 3** (senate committee printing) as follows:

(1) Add the appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION (). Section 42.007, Education Code, is transferred to Subchapter A, Chapter 48, Education Code, as added by this Act, redesignated as Section 48.0095, Education Code, and amended to read as follows:

Sec. 48.0095 [~~42.007~~]. EQUALIZED FUNDING ELEMENTS. (a) The Legislative Budget Board shall adopt rules, subject to appropriate notice and opportunity for public comment, for the calculation for each year of a biennium of the qualified funding elements, in accordance with Subsection (c), necessary to achieve the state policy under Section 48.001 [~~42.004~~].

(b) Before each regular session of the legislature, the board shall, as determined by the board, report the equalized funding elements to the commissioner and the legislature.

(c) The funding elements must include:

(1) a basic allotment for the purposes of Section 48.051 [~~42.104~~] that, when combined with the guaranteed yield component provided by Subchapter F, represents the cost per student of a regular education program that meets all mandates of law and regulation;

(2) adjustments designed to reflect the variation in known resource costs and costs of education beyond the control of school districts;

(3) appropriate program cost differentials and other funding elements for the programs authorized under Subchapter C, with the program funding level expressed as dollar amounts and as weights applied to the adjusted basic allotment for the appropriate year;

(4) the maximum guaranteed level of qualified state and local funds per student for the purposes of Subchapter F;

(5) the enrichment and facilities tax rate under Subchapter F;

(6) the computation of students in weighted average daily attendance under Section 48.202 [~~42.302~~]; and

(7) the amount to be appropriated for the school facilities assistance program under Chapter 46.

(d) Repealed by Acts 2005, 79th Leg., Ch. 741, Sec. 10 (b), eff. June 17, 2005.

(2) In SECTION 5.001 of the bill (page 115, lines 13 through 62), strike Subdivision 5.001(a)(28) (page 115, line 42) and renumber subsequent subdivisions accordingly.

JOHNSON
MENÉNDEZ
ZAFFIRINI

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Campbell offered the following amendment to the bill:

Floor Amendment No. 39

Amend **CSHB 3** (senate committee printing) as follows:

(1) Add the following appropriately numbered SECTION to Article 1 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION 1.____. Subchapter D, Chapter 11, Education Code, is amended by adding Section 11.184 to read as follows:

Sec. 11.184. EFFICIENCY AUDIT. (a) For purposes of this section, "efficiency audit" means an investigation of the operations of a school district to examine fiscal management, efficiency, and utilization of resources.

(b) Except as provided by Subsection (b-1), the board of trustees of a school district shall conduct an efficiency audit before seeking voter approval to adopt a tax rate for the maintenance and operations of the district at an election held for that purpose and may not hold the election without complying with this section.

(b-1) The board of trustees of a school district all or part of which is located in an area declared a disaster area by the governor under Chapter 418, Government Code, may hold an election to seek voter approval to adopt a maintenance and operations tax rate during the two-year period following the date of the declaration without conducting an efficiency audit otherwise required under this section.

(c) A school district must pay for the costs associated with an efficiency audit required under this section.

(d) The board of trustees of a school district must select an auditor to conduct an efficiency audit under this section not later than four months before the date on which the district proposes to hold an election to adopt a maintenance and operations tax rate.

(e) The board of trustees of a school district may select for purposes of Subsection (d) the auditor that conducts the district's annual audit under Section 44.008 and may include the efficiency audit as part of the district's annual audit.

(f) The Legislative Budget Board shall establish guidelines identifying the scope and areas of investigation of an efficiency audit, including identification of resources being used effectively and efficiently and identification of cost savings or reallocations. The Legislative Budget Board shall consult with the agency to identify areas in which school districts in this state have a demonstrated history of effectively utilizing resources to improve student achievement and achieve cost savings. The auditor selected by the board of trustees of a school district must follow the guidelines established by the Legislative Budget Board under this subsection.

(g) An auditor selected by the board of trustees of a school district must maintain independence from the district and complete the efficiency audit not later than three months after the date the auditor was selected.

(h) Before an election at which a school district seeks voter approval to adopt a tax rate the board of trustees of the school district must hold an open meeting to discuss the results of the efficiency audit conducted under this section. Not later than 30 days before the date of the election, the results of an efficiency audit conducted under this section must be posted on the school district's Internet website.

(i) A school district shall provide all documents, records, and personnel requested by the auditor as needed to conduct the audit in an efficient manner.

(2) In SECTION 7.001 of the bill, in Subsection (a) (page 116, line 40), strike "Subsection (b)" and substitute "Subsections (b) and (c)".

(3) In SECTION 7.001 of the bill, immediately following Subsection (a) (page 116, between lines 42 and 43), insert the following:

(b) Section 11.184, Education Code, as added by this Act, takes effect January 1, 2020.

(4) In SECTION 7.001 of the bill, in Subsection (b) (page 116, line 43), strike "(b)" and substitute "(c)".

The amendment to **CSHB 3** was read and was adopted by the following vote: Yeas 18, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Taylor.

Nays: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Seliger, Watson, West, Whitmire, Zaffirini.

Senator West offered the following amendment to the bill:

Floor Amendment No. 40

Amend **CSHB 3** (senate committee printing) in ARTICLE 2 of the bill as follows:

(1) Strike SECTION 2.007 of the ARTICLE, amending Section 12A.003(b), Education Code (page 64, lines 32 through 50).

(2) Strike SECTION 2.008 of the ARTICLE, amending Section 12A.004(a), Education Code (page 64, lines 51 through 67).

(3) Renumber subsequent SECTIONS of the ARTICLE accordingly.

WEST
PERRY
SELIGER

The amendment to **CSHB 3** was read.

Senator West withdrew Floor Amendment No. 40.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 41

Amend **CSHB 3** (senate committee printing) as follows:

(1) In SECTION 2.005 of the bill (page 63, lines 48 through 62), between lines 54 and 55, insert the following:

(a-1) A district operating a bilingual program or special language program under Subchapter B, Chapter 29, shall include a goal that supports early childhood literacy for students in a bilingual program or special language program under Subchapter B, Chapter 29, in English or in another language as appropriate.

(2) In SECTION 2.006 of the bill (page 63, line 63 through page 64, line 31), between lines 26 and 27, insert the following:

(b-1) For purposes of Subsection (b)(2), a district operating a bilingual program or special language program under Subchapter B, Chapter 29, shall identify reading instruments in a language appropriate to assess each student's reading development and comprehension.

LUCIO
MENÉNDEZ
ZAFFIRINI

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 41.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 42

Amend **CSHB 3** (senate committee printing) in SECTION 2.013 of the bill, by striking added Section 21.4023, Education Code (page 65, line 68 through page 66, line 12) and substituting the following:

Sec. 21.4023. CLASSROOM TEACHER AND LIBRARIAN SALARY INCREASE. (a) Every full-time classroom teacher and full-time librarian employed by a school district or open-enrollment charter school is entitled to a salary increase in the amount of \$5,000.

(b) A salary increase a teacher or librarian receives under this section:

(1) is not considered in determining whether the district is paying the teacher or librarian the minimum monthly salary under Section 21.402; and

(2) is in addition to the regular salary to which a teacher or librarian is otherwise entitled under the district's or school's salary schedule.

(b-1) Notwithstanding Section 21.402, for the 2019-2020 school year, every full-time classroom teacher and full-time librarian is entitled to a monthly salary that is at least equal to the sum of:

(1) the monthly salary the teacher or librarian would have received for the 2019-2020 school year under the district's or school's salary schedule for the 2018-2019 school year, if that schedule had been in effect for the 2019-2020 school year, including any local supplement and any money representing any other supplement the teacher or librarian would have received in the 2019-2020 school year; and

(2) \$500.

(b-2) Subsection (b-1) and this subsection expire September 1, 2020.

(b-3) A full-time classroom teacher or full-time librarian employed by a school district or open-enrollment charter school in the 2019-2020 school year is, as long as the teacher or librarian is employed by the same district or school, entitled to a salary that is at least equal to the salary the teacher or librarian received for the 2019-2020 school year.

(c) The commissioner may adopt rules as necessary to implement this section.

WATSON
MENÉNDEZ

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 42.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 43

Amend **CSHB 3** (senate committee report) as follows:

(1) Strike SECTIONS 2.014 and 2.015 of the bill amending Sections 21.410(c) and 21.4551(c), Education Code (page 66, lines 13 through 30).

(2) In the recital to SECTION 2.019 of the bill (page 69, line 41), strike "(c-1)".

(3) In SECTION 2.019 of the bill, amending Section 28.006, Education Code, strike amended Subsection (c-1) (page 70, lines 10 through 17).

(4) Strike SECTIONS 2.020 and 2.021 of the bill, amending Sections 28.0061(b) and 28.0211(a), Education Code (page 70, line 50 through page 71, line 1).

(5) Strike SECTION 2.024 of the bill, amending Section 29.056(g), Education Code (page 71, lines 34 through 54).

(6) In SECTION 2.044 of the bill, in amended Section 39.023, Education Code, strike amended Subsection (a) (page 77, lines 17 through 35), and substitute the following:

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, writing, mathematics, social studies, and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (l) or exempted under Section 39.027, shall be assessed in:

(1) mathematics, annually in grades three through ~~seven without the aid of technology and in grade~~ eight ~~[with the aid of technology on any assessment instrument that includes algebra]~~;

(2) reading, annually in grades three through eight;

(3) writing, including spelling and grammar, in grades four and seven;

(4) social studies, in grade eight;

(5) science, in grades five and eight; and

(6) any other subject and grade required by federal law.

(7) Renumber the remaining SECTIONS of ARTICLE 2 accordingly.

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 14, Nays 17.

Yeas: Alvarado, Hinojosa, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Perry, Powell, Rodríguez, Schwertner, Seliger, Watson, Whitmire.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Nelson, Nichols, Paxton, Taylor, West, Zaffirini.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 44

Amend **CSHB 3** (senate committee printing), in SECTION 1.027 of the bill, in added Section 48,112, Education Code (page 23) by striking lines 44 through 46 and substituting the following:

Sec. 48.112. TEACHER INCENTIVE ALLOTMENT. (a) In this section:

(1) "Classroom teacher" has the meaning assigned by Section 21.751.

(2) "Rural campus" means a school campus that is:

(A) located in an area that is not designated as an urbanized areas by the United States Census Bureau; or

(B) designated as a rural campus under rules adopted by the commissioner;
and

(C) has less that 5,000 enrolled students.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 44.

Senator Nelson offered the following amendment to the bill:

Floor Amendment No. 45

Amend **CSHB 3** (senate committee report) as follows:

(1) Add the following appropriately numbered SECTION to ARTICLE 1 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION 1. . Section 42.156, Education Code, is transferred to Subchapter C, Chapter 48, Education Code, as added by this Act, redesignated as Section 48.115, Education Code, and amended to read as follows:

Sec. 48.115 [~~42.156~~]. GIFTED AND TALENTED STUDENT ALLOTMENT.

(a) For each identified student a school district serves in a program for gifted and talented students that the district certifies to the commissioner as complying with Subchapter D, Chapter 29, a district is entitled to an annual allotment equal to the [~~district's adjusted~~] basic allotment [~~as determined under Section 42.102 or Section 42.103, as applicable,~~] multiplied by .12 for each school year or a greater amount provided by appropriation.

(b) Funds allocated under this section, other than the amount that represents the program's share of general administrative costs, must be used in providing programs for gifted and talented students under Subchapter D, Chapter 29, including programs sanctioned by International Baccalaureate and Advanced Placement, or in developing programs for gifted and talented students. Each district must account for the expenditure of state funds as provided by rule of the commissioner [~~State Board of Education~~]. If by the end of the 12th month after receiving an allotment for developing a program a district has failed to implement a program, the district must refund the amount of the allotment to the agency within 30 days.

(c) Not more than five percent of a district's students in average daily attendance are eligible for funding under this section.

(d) If the amount of state funds for which school districts are eligible under this section exceeds the amount of state funds appropriated in any year for the programs, the commissioner shall reduce each district's tier one allotments in the same manner described for a reduction in allotments under Section 48.266 [~~42.253~~].

(e) If the total amount of funds allotted under this section before a date set by commissioner rule [~~of the State Board of Education~~] is less than the total amount appropriated for a school year, the commissioner shall transfer the remainder to any program for which an allotment under Section 48.104 [~~42.152~~] may be used.

(f) After each district has received allotted funds for this program, the commissioner [~~State Board of Education~~] may use up to \$500,000 of the funds allocated under this section for programs such as MATHCOUNTS, Future Problem Solving, Odyssey of the Mind, and Academic Decathlon, as long as these funds are used to train personnel and provide program services. To be eligible for funding under this subsection, a program must be determined by the commissioner [~~State Board of Education~~] to provide services that are effective and consistent with the state plan for gifted and talented education.

(2) Strike SECTIONS 2.026 and 2.027 of the bill (page 71, line 61, through page 72, line 30) and renumber subsequent SECTIONS of ARTICLE 2 accordingly.

(3) In SECTION 3.004 of the bill, in amended Section 8.051(d), Education Code, strike Subdivision (2) (page 83, lines 50 through 53) and substitute the following:

(2) training and assistance in providing each program that qualifies for a funding allotment under Section 48.102, 48.104, 48.105, or 48.115 [~~42.151, 42.152, 42.153, or 42.156~~];

(4) In SECTION 5.001(a) of the bill, repealing provisions of the Education Code, strike Subdivision (35) (page 115, line 49) and renumber subsequent subdivisions accordingly.

The amendment to **CSHB 3** was read.

Senator Taylor offered the following amendment to Floor Amendment No. 45:

Floor Amendment No. 46

Amend Amendment No. 45 by Nelson to **CSHB 3** as follows:

(1) In Item (1) of the amendment (page 2, between lines 23 and 24), insert the following:

(g) Out of the total statewide allotment for gifted and talented education under this section, the commissioner shall annually set aside \$8 million to fund the grant program for P-TECH schools under Section 29.556, in addition to other funds appropriated for that purpose, and \$6 million to fund the blended learning grant program under Section 29.924. After deducting the amounts set aside under this subsection from the total statewide allotment for gifted and talented education under this section, the commissioner shall reduce each school district's allotment under this section proportionately and allocate funds to each district accordingly.

(2) Add the following appropriately numbered items to the amendment and renumber subsequent items accordingly:

() In SECTION 1.019 of the bill, in transferred, redesignated, and amended Section 48.051(c), Education Code (page 13), strike lines 21 through 28 and substitute the following:

~~[(e) This subsection applies to a school district for which the~~

() In SECTION 1.025 of the bill, in transferred, redesignated, and amended Section 48.106(c), Education Code (page 20), strike lines 9 through 17 and substitute the following:

~~[(e) Funds~~

() In SECTION 4.007 of the bill, in transferred, redesignated, and amended Section 48.051(c), Education Code (page 106), strike lines 34 through 41 and substitute the following:

~~[(e) This subsection applies to a school district for which the~~

The amendment to Floor Amendment No. 45 to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 46.

Question recurring on the adoption of Floor Amendment No. 45 to **CSHB 3**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 45 as amended.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 47

Amend **CSHB 3** (senate committee printing) in SECTION 2.016 of the bill, in added Section 21.753, Education Code (page 67, between lines 30 and 31), by inserting the following:

(c-1) In determining a teacher's percentile under Subsection (c), a special education teacher's teaching performance may be compared only with the teaching performance of other special education teachers.

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The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 47.

Senator Perry offered the following amendment to the bill:

Floor Amendment No. 48

Amend **CSHB 3** (senate committee printing) by adding the following appropriately numbered SECTION to Article 1 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 1. ____. Subchapter F, Chapter 48, Education Code, as added by this Act, is amended by adding Section 48.2542 to read as follows:

Sec. 48.2542. ADDITIONAL STATE AID FOR CERTAIN DISTRICTS THAT ARE ONLY DISTRICT IN COUNTY. (a) Notwithstanding any other provision of this title, a school district with a student enrollment of less than 300 that is the only school district located and operating in a county is entitled to not less than the amount of state and local revenue in average daily attendance, excluding any amount of revenue used by the district to comply with Chapter 49, to which the district was entitled for the 2019-2020 school year.

(b) The commissioner shall adjust the entitlement under Subchapter B of a district to which this section applies as necessary to comply with this section.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 48 except as follows:

Nays: Alvarado, Johnson, Menéndez, Powell.

Senator West offered the following amendment to the bill:

Floor Amendment No. 49

Amend **CSHB 3** (senate committee printing) in added Section 21.754(a), Education Code, to read as follows:

Sec. 21.754. TEACHER DESIGNATION SYSTEMS. (a) A school district's or open-enrollment charter school's teacher designation system must incorporate:

(1) an educator appraisal system that complies with Section 21.351 or 21.352, including incorporating student performance, which may be measured by student performance over multiple school years. Student performance must constitute at least 35 percent of the total evaluation. State assessments for a teacher's students, if applicable, must at least constitute 25 percent but no more than 35 percent of a teacher's total student performance, with district assessments, including consideration of overall school performance, representing the balance. Student performance must include, as applicable:

(A) for teachers in state tested grade levels or content areas, the better of absolute student achievement or growth on quantitative assessments adopted by the state and by the district; and

(B) for teachers in non-tested grade levels or content areas, evidence of students reaching learning objectives through age appropriate evaluations or a portfolio of results of teacher developed curriculum;

(2) student perception surveys for the third grade level and higher;

(3) educator leadership, including collaborating with, mentoring, or supporting other teachers;

(4) reliable observation-based appraisal components, including the use of independent observers and processes to ensure inter-rater reliability of observers; and

(5) reliable underlying student assessments used to evaluate student performance, including test security protocols and defined testing windows.

WEST

MENÉNDEZ

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 14, Nays 17.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Nichols, Powell, Rodríguez, Seliger, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Paxton, Perry, Schwertner, Taylor.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 50

Amend **CSHB 3** (senate committee printing) in SECTION 2.016 of the bill, by striking added Section 21.754(b), Education Code (page 67, lines 57-59), and substituting the following:

(b) Student performance on assessment instruments administered under Section 39.023 may not account for more than 35 percent of a district's or school's educator appraisal system under Subsection (a)(1).

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The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 50.

AT EASE

The Presiding Officer at 4:39 p.m. announced that the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

Senator Hancock at 4:58 p.m. called the Senate to order as In Legislative Session.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 51

Amend **CSHB 3** (senate committee report as follows:

SECTION 1. Subchapter Z, Chapter 39A, Education Code, is amended by adding Section 39A.907 to read as follows:

Sec. 39A.907. ASSESSMENT INSTRUMENT STUDY

(a) The commissioner shall contract for a study to determine whether, for each applicable grade level, each assessment instrument administered under Section 39.023(a) during the 2018-2019 school year or scheduled to be administered during the 2019-2020 school year is written at the appropriate reading level for students in that grade level and includes only passages written at a reading level not higher than the grade level at which the assessment instrument is administered.

(b) In contracting for the study, the commissioner shall:

(1) use a competitive process to select an independent entity to conduct the study that is not an entity that develops or otherwise reviews assessment instruments under Chapter 39.

(c) Not later than December 1, 2019, the commissioner shall:

(1) submit a report to the legislature and the presiding officer of each legislative standing committee with jurisdiction over primary and secondary education that includes the results of the study.

MENÉNDEZ
POWELL

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 51.

(President in Chair)

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 52

Amend **CSHB 3** (senate committee report), in ARTICLE 2 of the bill, by adding the following appropriately numbered SECTION to that article and renumbering subsequent SECTIONS accordingly:

SECTION 2. Subchapter B, Chapter 39, Education Code, is amended by adding Section 39.040 to read as follows:

Sec. 39.040. ALTERNATIVE ASSESSMENT INSTRUMENT. The commissioner by rule shall adopt procedures under which a third grade reading assessment instrument adopted under Section 48.109(e) may be used to evaluate student achievement for purposes of:

- (1) complying with accountability requirements under this chapter; and
- (2) determining promotion under Section 28.021.

The amendment to **CSHB 3** was read.

Senator Watson offered the following amendment to Floor Amendment No. 52:

Floor Amendment No. 53

Amend Amendment No. 52 by Watson to **CSHB 3**, in ARTICLE 2 of the bill, adding an appropriately numbered SECTION to that article, adding Section 39.040, Education Code, by striking lines 6-23 and substituting the following:

Sec. 39.040. STUDY OF ALTERNATIVE ASSESSMENT INSTRUMENT. (a) The commissioner shall conduct a study to determine whether a third grade reading assessment instrument adopted under Section 48.109(e) may be used to evaluate student achievement for purposes of complying with:

- (1) accountability requirements under this chapter; and
- (2) federal law.

(b) If the commissioner identifies an assessment instrument that meets the requirements of Subsection (a), the commissioner shall allow for the use of the alternative assessment instrument in order to comply with the accountability requirements under this chapter.

(c) Not later than December 1, 2020, the commissioner shall produce and submit to the legislature an interim report detailing the progress and any results of the study as of that date.

(d) Not later than December 1, 2022, the commissioner shall produce and submit to the legislature a final report containing the results of the study conducted under this section.

The amendment to Floor Amendment No. 52 to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 53.

Question recurring on the adoption of Floor Amendment No. 52 to **CSHB 3**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 52 as amended.

Senator Johnson offered the following amendment to the bill:

Floor Amendment No. 54

Amend **CSHB 3** (senate committee printing) in SECTION 2.051 of the bill, adding Section 39A.105(b)(3), Education Code (page 81), by striking lines 47 through 61 and substituting the following:

(3) that each classroom teacher assigned to the campus has demonstrated instructional effectiveness in the previous school year, defined as follows:

(A) for a teacher for prekindergarten through second grade evidence of students reaching learning objectives through age-appropriate evaluations;

(B) for a teacher for grades three through 12 evidence of:

(i) students reaching learning objectives through age-appropriate evaluations;

(ii) positive achievement and progress on quantitative assessments adopted by the district or the state, as indicated by a minimum of one year's worth of student growth on the assessment; and

(iii) if an assessment is not available for a subject, the use of related adopted assessments as well as a portfolio of results of teacher-developed curriculum-based assessments; and

(C) for each teacher, if available, evidence of positive student and parent experience surveys developed and approved by the district;

The amendment to **CSHB 3** was read.

Senator Johnson offered the following amendment to Floor Amendment No. 54:

Floor Amendment No. 55

Amend Floor Amendment 54 to **CSHB 3** (senate committee printing) as follows:

(1) In line 5 of the amendment, strike "each classroom teacher" and substitute "at least 60 percent of classroom teachers".

(2) In line 6 of the amendment, strike "has" and substitute "have".

(3) Strike lines 8 through 25 of the amendment, and substitute the following:

(A) for a teacher who taught in the district during a the previous school year:

(i) the teacher's impact on student growth using a locally developed value-added model applied to one or more district-chosen assessments; and

(ii) evaluation of the teacher based on classroom observation; and

(B) for a teacher for did not teach in the district during the previous school year, data and other evidence indicating that if the teacher had taught in the district during the previous school year, the teacher would have performed in the top half of teachers in the district;

The amendment to Floor Amendment No. 54 to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 55.

Question recurring on the adoption of Floor Amendment No. 54 to **CSHB 3**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 54 as amended.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 56

Amend **CSHB 3** (senate committee report) in Article 2 of the bill as follows:

(1) In SECTION 2.051, in added Section 39A.105(b)(5)(D), Education Code (page 82, line 7), after the underlined semicolon, strike "and".

(2) In SECTION 2.051 of the bill, in added Section 39A.105(b)(5)(E), Education Code (page 82, between lines 10 and 11), insert the following:

(F) providing student services before or after the instructional day that improve student performance, which may include tutoring, extracurricular activities, counseling services, and offering breakfast, lunch, and dinner to all students at the campus; and

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The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 56.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 57

Amend **CSHB 3** (senate committee report) by adding the following appropriately numbered SECTION to Article 2 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 2. ____. (a) The Texas Education Agency shall establish a stakeholder work group to consider and make recommendations regarding methods for establishing equitable teacher compensation systems to differentiate among teachers based on teacher performance. The work group must specifically consider systems for evaluating teachers who do not teach a grade level or subject for which an assessment instrument is administered under Section 39.023, Education Code.

(b) Not later than September 1, 2020, the work group shall report the work group's recommendations to the legislature.

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The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 57.

Senator Rodríguez offered the following amendment to the bill:

Floor Amendment No. 58

Amend **CSHB 3** (senate committee report) as follows:

(1) In ARTICLE 2 of the bill, add the following appropriately numbered SECTIONS to that article and renumber SECTIONS of that article accordingly:

SECTION 2.____. Section 12.1053, Education Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Subsection (a), an open-enrollment charter school's charter may not provide for procedures that conflict with Section 44.0315.

SECTION 2.____. Section 44.0311, Education Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Except as provided by Subsections [Subsection] (c) and (d), this subchapter applies to junior college districts.

(d) Section 44.0315 does not apply to a junior college district.

SECTION 2.____. Subchapter B, Chapter 44, Education Code, is amended by adding Section 44.0315 to read as follows:

Sec. 44.0315. PROHIBITED SOLICITATION RESPONSES AND CONTRACTS. (a) In this section, "solicitation response" includes a bid, proposal, offer, or qualification.

(b) A vendor may not submit a solicitation response for a solicitation for goods or services by a school district or open-enrollment charter school or enter into a contract resulting from the solicitation response if the vendor was compensated for participating in preparing the scope of or specifications for the solicitation.

(c) A school district or open-enrollment charter school that determines that a vendor violated Subsection (b):

(1) may immediately terminate any contract that resulted from the solicitation response and withhold payment to the vendor under the contract without further obligation to the vendor; and

(2) may not accept another solicitation response from or award any contract to the vendor before the first anniversary of:

(A) the date the vendor submitted the solicitation response; or

(B) if the vendor executed a contract with the district or school resulting from the solicitation response, the date the vendor executed the contract.

(d) A vendor solicitation response to a solicitation described by Subsection (b) must include the following statement:

"Under Section 44.0315, Education Code, the vendor certifies that the vendor was not compensated for participating in preparing the scope of or specifications for the solicitation on which this response is based. The vendor acknowledges that if this certification is inaccurate the soliciting entity:

"(1) may terminate any contract resulting from the solicitation response and withhold payment to the vendor without further obligation to the vendor; and

"(2) may not accept another solicitation response from or award any contract to the vendor before the first anniversary of:

"(A) the date the vendor submitted this solicitation response; or

"(B) if the vendor executed a contract with the district or school resulting from this solicitation response, the date the vendor executed the contract."

(e) A vendor contract resulting from a solicitation response to a solicitation described by Subsection (b) must include the following statement:

"Under Section 44.0315, Education Code, the vendor certifies that the vendor was not compensated for participating in preparing the scope of or specifications for the solicitation on which this contract is based. The vendor acknowledges that if this certification is inaccurate the soliciting entity:

"(1) may terminate this contract and withhold payment to the vendor without further obligation to the vendor; and

"(2) may not accept another solicitation response from or award another contract to the vendor until the first anniversary of the date on which the vendor executed this contract."

(f) This section does not create a cause of action to contest the acceptance of a solicitation response or the award of a contract by a school district or open-enrollment charter school.

(g) This section does not prohibit the exchange of information between a vendor and a school district or open-enrollment charter school to monitor an existing contract with the district or school.

(2) In ARTICLE 6 of the bill, add the following appropriately numbered SECTION to that article and renumber SECTIONS of that article accordingly:

SECTION 6. ____. (a) Sections 12.1053(a-1) and 44.0315, Education Code, as added by this Act, and Section 44.0311, Education Code, as amended by this Act, apply only to a solicitation for which a school district or open-enrollment charter school first advertises or otherwise solicits bids, proposals, offers, qualifications, or similar responses on or after September 1, 2019.

(b) A solicitation for which a school district or open-enrollment charter school first advertised or otherwise solicited bids, proposals, offers, qualifications, or similar responses before September 1, 2019, is governed by the law in effect when the first advertisement or solicitation was given, and the former law is continued in effect for that purpose.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 58.

Senator West offered the following amendment to the bill:

Floor Amendment No. 59

Amend **CSHB 3** (senate committee report) as follows:

(1) In the recital to SECTION 2.028 of the bill (page 72, line 33), strike "and (d-2)" and substitute "(d-2), and (g)".

(2) In SECTION 2.028 of the bill, in amended Section 29.153, Education Code (page 73, between lines 36 and 37), insert the following:

(g) Before a school district or open-enrollment charter school may construct, repurpose, or lease a classroom facility, or issue bonds for the construction or repurposing of a classroom facility, to provide the prekindergarten classes required under this section, the district or school must solicit and consider proposals for partnerships to provide those classes with community-based child-care providers who:

(1) are a Texas Rising Star Program provider with a three-star certification or higher;

- (2) are nationally accredited;
- (3) are a Texas School Ready! participant; or
- (4) meet the requirements under Section 29.1532.

The amendment to **CSHB 3** was read.

Senator West offered the following amendment to Floor Amendment No. 59:

Floor Amendment No. 60

Amend Amendment No. 59 by West to **CSHB 3** in Item (2) of the amendment (page 1, between lines 16 and 17), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

- () are a Head Start program provider;

The amendment to Floor Amendment No. 59 to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 60.

Question recurring on the adoption of Floor Amendment No. 59 to **CSHB 3**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 59 as amended.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 61

Amend **CSHB 3** (senate committee report) in SECTION 2.041 of the bill, in added Section 29.924, Education Code (page 76, between lines 46 and 47), by inserting the following appropriately lettered subsection and relettering subsequent subsections accordingly:

- () In implementing a blended learning model using grant funds awarded under this section, a school district or open-enrollment charter school may use a research-based, adaptive, computerized program of the district's or school's choice.

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 62

Amend **CSHB 3** (senate committee printing) as follows:

(1) In SECTION 2.023 of the bill, in added Section 28.0256, Education Code, strike Subsections (b) and (c) (page 71, lines 20-33), and substitute the following:

- (b) A student is not required to comply with Subsection (a) if:

(1) the student's parent or other person standing in parental relation submits a signed form indicating that the parent or other person authorizes the student to decline to complete and submit the financial aid application;

(2) the student signs and submits the form described by Subdivision (1) on the student's own behalf if the student is 18 years of age or older or the student's disabilities of minority have been removed for general purposes under Chapter 31, Family Code; or

(3) a school counselor authorizes the student to decline to complete and submit the financial aid application for good cause, as determined by the school counselor.

(c) A school district or open-enrollment charter school shall adopt a form to be used for purposes of Subsection (b). The form must be:

(1) approved by the agency; and

(2) made available in English, Spanish, and any other language spoken by a majority of the students enrolled in a bilingual education or special language program under Subchapter B, Chapter 29, in the district or school.

(d) If a school counselor notifies a school district or open-enrollment charter school regarding whether a student has complied with this section for purposes of determining whether the student meets high school graduation requirements under Section 28.025, the school counselor may only indicate whether the student has complied with this section and may not indicate the manner in which the student complied.

(e) The commissioner shall adopt rules as necessary to implement this section, including rules to:

(1) establish:

(A) a timeline for:

(i) the distribution to students of the free application for federal student aid or Texas application for state financial aid and the form adopted under Subsection (c); and

(ii) the submission of a form under Subsection (b);

(B) standards regarding the information that a school district or open-enrollment charter school must provide to students regarding:

(i) in accordance with Section 33.007(b)(5), instructions for filling out the free application for federal student aid or Texas application for state financial aid; and

(ii) the options available to a student under Subsection (b) if the student wishes to decline to complete and submit a financial aid application; and

(C) the method by which a student must provide to a school district or open-enrollment charter school proof that the student has completed and submitted the free application for federal student aid or Texas application for state financial aid as required by this section;

(2) require each school district or open-enrollment charter school to report to the agency:

(A) the number of students who completed and submitted a financial aid application under Subsection (a); and

(B) the number of students who received an exception from complying with Subsection (a) under Subsection (b); and

(3) ensure compliance with federal law regarding confidentiality of student educational information, including the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information.

(f) The agency shall establish an advisory committee to assist the agency in adopting rules under Subsection (e) to implement this section and to develop recommendations for that purpose. The advisory committee is composed of:

(1) school counselors;

(2) school administrators; and

(3) stakeholders to represent the needs of interested students.

(g) Not later than January 1, 2021, the agency shall report the advisory committee's recommendations to the standing committee of each house of the legislature with jurisdiction over public education. Subsection (f) and this subsection expire January 1, 2023.

(2) In SECTION 6.001(a) of the bill, adding transition language (page 115, line 64), strike "Subsection (b)" and substitute "Subsections (b) and (c)".

(3) In SECTION 6.001 of the bill, adding transition language (page 115, between lines 68 and 69), insert the following:

(c) Section 28.025, Education Code, as amended by this Act, and Section 28.0256, Education Code, as added by this Act, apply beginning with students enrolled at the 12th grade level during the 2021-2022 school year.

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MENÉNDEZ

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 63

Amend **CSHB 3** (senate committee report) as follows:

(1) Add the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumber subsequent SECTIONS of that ARTICLE accordingly:

SECTION 2. __. Subchapter E, Chapter 29, Education Code, is amended by adding Section 29.1544 to read as follows:

Sec. 29.1544. REPORTING OF CERTAIN INFORMATION REGARDING PREKINDERGARTEN PROGRAMS; AGENCY REPORT. (a) The agency by rule shall require each school district that offers a prekindergarten program under Section 29.153 and each private entity that provides a prekindergarten program under contract

with a school district to report the following information in the form and manner prescribed by the agency for each prekindergarten class offered by the district or private entity:

- (1) the number of students in each prekindergarten class;
- (2) the number of certified teachers in each prekindergarten class;
- (3) the number of teacher's aides in each prekindergarten class;
- (4) whether each prekindergarten class is full-day or half-day; and
- (5) if the district offers half-day classes, whether the district offers two

half-day classes per day.

(b) From the information submitted under Subsection (a), the agency shall determine the total number of teachers and teacher's aides in prekindergarten classes in this state.

(c) From the information submitted under Subsection (a) and for purposes of calculating the student/teacher ratio for each prekindergarten class offered by a school district or private entity that provides a prekindergarten program under contract with a school district, the agency shall count each teacher or teacher's aide:

- (1) once for a full-day class; and
- (2) twice for a half-day class if the district offers two half-day classes per

day.

(d) Not later than August 1 of each year, the agency shall prepare and submit a report to the legislature based on the information collected under Subsection (a).

(2) Add the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumber subsequent SECTIONS of that ARTICLE accordingly:

SECTION 6. __. Not later than August 1, 2020, the Texas Education Agency shall submit the initial report required under Section 29.1544, Education Code, as added by this Act.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 63.

Senator Buckingham offered the following amendment to the bill:

Floor Amendment No. 64

Amend **CSHB 3** (senate committee report) as follows by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 2. __. Subchapter F, Chapter 29, Education Code, is amended by adding Section 29.194 to read as follows:

Sec. 29.194. SUMMER CAREER AND TECHNOLOGY EDUCATION GRANT PROGRAM. (a) From funds appropriated or available for the purpose, the commissioner, in cooperation with an appropriate private entity, shall establish a grant program to provide funding to school districts for career and technology education courses offered during the summer.

(b) The commissioner may solicit and accept gifts, donations, or other contributions for the grant program established under this section.

(c) The commissioner may adopt rules as necessary to implement this section.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 64.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 65

Amend **CSHB 3** (senate committee report) as follows:

(1) In ARTICLE 2 of the bill, strike SECTIONS 2.043, 2.044, 2.045, 2.046, 2.047, 2.048, and 2.049 (page 77, line 3 through page 80, line 44) and renumber the remaining SECTIONS of that article accordingly.

(2) In ARTICLE 6 of the bill, strike SECTION 6.007 (page 116, lines 33-35) and renumber the remaining SECTIONS of that article accordingly.

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 13, Nays 18.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodriguez, Seliger, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Taylor.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 66

Amend **CSHB 3** (senate committee printing) in ARTICLE 2 of the bill as follows:

(1) In the recital to SECTION 2.044 of the bill (page 77, lines 14 and 15), strike "(a-12), (a-13), (b-1), (c), and (c-3) and adding Subsections (a-3), (a-14), (a-15), (c-7), (c-8)," and substitute "(a-11), (a-12), (a-13), (b-1), (c), and (c-3) and adding Subsections (a-3), (a-10), (a-14), (a-15), (a-16), (a-17), (c-7), (c-8), (e-2),".

(2) In SECTION 2.044 of the bill, amending Section 39.023, Education Code (page 77, between lines 40 and 41), insert the following:

(a-10) Each assessment instrument adopted or developed under Subsection (a) must:

(1) include only passages, questions, answers, and other content aligned with the essential knowledge and skills adopted by the State Board of Education for the applicable subject for the grade level at which the assessment instrument will be administered or for any previous grade level; and

(2) include only passages written at a reading level not higher than the grade level at which the assessment instrument will be administered.

(a-11) Before an assessment instrument adopted or developed under Subsection (a) may be administered under that subsection, the assessment instrument must, on the basis of empirical evidence, be determined to be appropriate, valid, and reliable by an entity that is independent of the agency and of any other entity that developed the assessment instrument.

(3) In SECTION 2.044 of the bill, amending Section 39.023, Education Code (page 77, between lines 63 and 64), insert the following:

(a-16) The agency may not use a passage on an assessment instrument administered under Subsection (a), unless the passage has been individually evaluated to ensure the reading level of the passage is appropriate for the grade level of the students to whom the assessment instrument containing the passage will be administered, provided that:

(1) the evaluation must be conducted by a committee that:

(A) consists of not fewer than 10 educators nominated by a regional education service center; and

(B) includes:

(i) at least one educator with a graduate degree in reading or literacy;

(ii) at least one educator with a reading specialist certification; and

(iii) at least one educator with current experience teaching in this state at a grade level relevant to the evaluation; and

(2) the committee established under Subdivision (1) must, for purposes of the evaluation, consider:

(A) information from:

(i) not fewer than five nationally recognized readability formulas;

and

(ii) evidence-based readability evaluation methods; and

(B) the reading level of other assessment instruments commonly administered to students in each grade level.

(a-17) The agency shall annually submit a report to the State Board of Education demonstrating compliance with Subsection (a-10).

(4) In SECTION 2.044 of the bill, amending Section 39.023, Education Code (page 78, between lines 51 and 52), insert the following:

(e-2) A question with a related passage may not be field-tested under Subsection (e) without its related passage first being evaluated under Subsection (a-16). At the time the agency releases assessment instrument questions and answer keys under Subsection (e), the agency shall also release the reading level of each passage as determined by the committee under Subsection (a-16).

(5) In the recital to SECTION 2.048 of the bill (page 80, lines 22 and 23), strike "Section 39.0241(a), Education Code, is amended" and substitute "Section 39.0241, Education Code, is amended by amending Subsection (a) and adding Subsection (a-2)".

(6) In SECTION 2.048 of the bill, amending Section 39.0241, Education Code (page 80, between lines 35 and 36), insert the following:

(a-2) The commissioner shall base the levels of performance under Subsections (a) and (a-1) on the grade level expectations and standards for each subject or course.

(7) Insert the following appropriately numbered SECTION:

SECTION 2.____. Subchapter Z, Chapter 39A, Education Code, is amended by adding Section 39A.907 to read as follows:

Sec. 39A.907. ASSESSMENT INSTRUMENT STUDY; TEMPORARY SUSPENSION OF SANCTIONS. (a) The commissioner shall contract for a study to determine whether, for each applicable grade level, each assessment instrument

administered under Section 39.023(a) during the 2018-2019 school year or scheduled to be administered during the 2019-2020 school year is written at the appropriate reading level for students in that grade level.

(b) In contracting for the study, the commissioner shall:

(1) use a competitive process to select an independent entity to conduct the study that is not an entity that develops or otherwise reviews assessment instruments under Chapter 39; and

(2) provide that The University of Texas at Austin, Texas Tech University, and Texas A&M University must oversee the design, completion, and evaluation of the study.

(c) Not later than December 1, 2019, the commissioner shall:

(1) submit a report to the legislature and the presiding officer of each legislative standing committee with jurisdiction over primary and secondary education that includes the results of the study; and

(2) hold a public meeting with representatives of The University of Texas at Austin, Texas Tech University, and Texas A&M University to discuss and explain the results of the study.

(d) Notwithstanding any other law, student performance on assessment instruments administered under Section 39.023(a) in the 2018-2019 school year may not be used as a factor in determining:

(1) whether to order the closure of a campus as authorized under this chapter after the 2018-2019 school year; or

(2) whether a student, based on the student's performance, advances to the next grade level under Section 28.021 or 28.0211 after the student completes the 2018-2019 school year.

(e) Notwithstanding any other law, if the report submitted by the commissioner under Subsection (c) indicates that an assessment instrument adopted under Section 39.023(a) scheduled to be administered during the 2019-2020 school year was written at a reading level above the grade level of the students to whom the assessment instrument is scheduled to be administered, student performance on assessment instruments identified under this subsection and administered under Section 39.023(a) may not be used as a factor in determining whether a student, based on the student's performance, advances to the next grade level under Section 28.021 or 28.0211 after the student completes the 2019-2020 school year.

(f) This section expires September 1, 2023.

(8) Renumber subsequent SECTIONS of the ARTICLE accordingly.

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 12, Nays 19.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, Watson, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 67

Amend **CSHB 3** (senate committee report) in ARTICLE 2 of the bill, in Section 2.044 of that article, as follows:

(1) In amended Section 39.023(a), Education Code (page 77, lines 17 through 35), strike the text of Subsection (a) and substitute the following:

(a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in subjects for which assessment is required by federal law [~~reading, writing, mathematics, social studies, and science~~]. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (l) or exempted under Section 39.027, shall be assessed in[~~g~~]:

~~[(1) mathematics, annually in grades three through seven without the aid of technology and in grade eight with the aid of technology on any assessment instrument that includes algebra;~~

~~[(2) reading, annually in grades three through eight;~~

~~[(3) writing, including spelling and grammar, in grades four and seven;~~

~~[(4) social studies, in grade eight;~~

~~[(5) science, in grades five and eight; and~~

~~[(6)] any [other] subject and grade required by federal law.~~

(2) In added Section 39.023(a-3), Education Code (page 77, line 36), strike "Subsection (a)(1)" and substitute "Subsection (a)".

The amendment to **CSHB 3** was read.

Senator Menéndez withdrew Floor Amendment No. 67.

Senator West offered the following amendment to the bill:

Floor Amendment No. 68

Amend **CSHB 3** (senate committee report) as follows:

(1) In the recital to SECTION 2.047 of the bill, adding provisions to Subchapter B, Chapter 39, Education Code (page 79, line 36), strike "39.02341 and 39.0236" and substitute "39.02341, 39.0236, and 39.0237".

(2) On page 80, between lines 21 and 22, insert the following:

Sec. 39.0237. CONSIDERATION OF PREKINDERGARTEN ASSESSMENT INSTRUMENTS PROHIBITED. Performance on an assessment instrument administered to students in prekindergarten may not be considered for any purpose under this chapter or Chapter 39A.

(3) In SECTION 5.001(a)(10) of the bill, repealing provisions of Section 28.006, Education Code (page 115, line 24), strike ", (e),".

The amendment to **CSHB 3** was read.

Senator West offered the following amendment to Floor Amendment No. 68:

Floor Amendment No. 69

Amend Floor Amendment 68 (Council Draft 86R 31644), by West, to **CSHB 3** (senate committee printing), on page 1, lines 12-14, by striking the following:

"(3) In SECTION 5.001(a)(10) of the bill, repealing provisions of Section 28.006, Education Code (page 115, line 24), strike ", (e),"."

The amendment to Floor Amendment No. 68 to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 69.

Question recurring on the adoption of Floor Amendment No. 68 to **CSHB 3**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 68 as amended.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 70

Amend **CSHB 3** (senate committee report) in ARTICLE 2 of the bill as follows:

(1) In SECTION 2.048 of the bill amending Section 39.0241(a), Education Code (page 80, line 27) between "(1)" and "a meets grade level", insert the following: an approaches grade level performance standard in the applicable subject or course that indicates that a student is likely to succeed in the subject for the subsequent grade level or in the subsequent course with targeted academic intervention;

(2)

(2) In SECTION 2.048 of the bill amending Section 39.0241(a), Education Code (page 80, line 32), strike "(2)" and substitute "(3)".

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 70.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 71

Amend **CSHB 3** (senate committee printing) as follows:

(1) Strike SECTIONS 4.001 and 4.002 of the bill, amending Sections 13.054(f) and 30.003, Education Code (page 104, lines 1-38).

(2) Strike SECTIONS 4.004 and 4.005 of the bill, amending Sections 45.003 and 45.0032, Education Code (page 104, line 59 through page 105, line 21).

(3) Strike SECTIONS 4.007 and 4.008 of the bill, transferring and redesignating Sections 48.051 and 48.202, Education Code (page 105, line 67 through page 108, line 36).

(4) Strike SECTIONS 4.010, 4.011, and 4.012 of the bill, transferring and redesignating Section 48.255, Education Code, and adding Sections 48.2551, 48.2552, and 48.257(g), Education Code (page 108, line 64 through page 110, line 43).

(5) Strike SECTION 4.023 of the bill, amending Section 26.08(n), Tax Code (page 112, line 64 through page 113, line 35).

The amendment to **CSHB 3** was read and failed of adoption by the following vote: Yeas 11, Nays 20.

Yeas: Alvarado, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Rodríguez, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Fallon, Flores, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Taylor, Watson.

Senator West offered the following amendment to the bill:

Floor Amendment No. 72

Amend **CSHB 3** (senate committee report) as follows:

(1) In SECTION 4.006 of the bill, in amended Section 46.071, Education Code, strike added Subsection (a-1) (page 105, lines 25 through 34) and substitute the following:

(a-1) Beginning with the 2019-2020 school year, a school district is entitled to additional state aid under this subchapter to fully compensate the district for ad valorem tax revenue for the district's tax effort to pay the principal of and interest on eligible bonds, as defined by Section 46.033, that is lost due to an increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, and a reduction of the amount of the limitation on tax increases under Section 1-b(d), Article VIII, Texas Constitution, to reflect the increased exemption amount.

(2) In SECTION 4.006 of the bill, in added Section 46.071(b-1), Education Code (page 105, lines 50 and 51), strike "as proposed by the 86th Legislature, Regular Session, 2019," and substitute "for a school year".

(3) Strike SECTIONS 4.018 and 4.019 of the bill (page 111, line 56, through page 112, line 34) and substitute the following appropriately numbered SECTIONS:

SECTION _____. Section 11.13, Tax Code, is amended by amending Subsections (b) and (n-1) and adding Subsection (b-1) to read as follows:

(b) An adult is entitled to exemption from taxation by a school district of a portion [~~\$25,000~~] of the appraised value of the adult's residence homestead in the amount provided by this subsection, except that only \$5,000 of the exemption applies to an entity operating under former Chapter 17, 18, 25, 26, 27, or 28, Education Code, as those chapters existed on May 1, 1995, as permitted by Section 11.301, Education Code. For the 2019 tax year, the amount of the exemption is \$40,000. For each subsequent tax year, the amount of the exemption shall be calculated by the comptroller by multiplying the amount of the exemption under this subsection for the preceding tax year by the inflation rate and adding that amount to, or subtracting that amount from, as applicable, the amount of that exemption for the preceding tax year. Each year, not later than March 15, the comptroller shall calculate the amount of the exemption for the current tax year and publish that amount in the Texas Register.

(b-1) In this section:

(1) "Consumer price index" means the average over a calendar year of the index that the comptroller considers to most accurately report changes in the purchasing power of the dollar for consumers in this state.

(2) "Inflation rate" means the amount, expressed in decimal form rounded to the nearest thousandth, computed by determining the percentage change in the consumer price index for the preceding calendar year as compared to the consumer price index for the calendar year preceding that calendar year.

(n-1) The governing body of a school district, municipality, or county that adopted an exemption under Subsection (n) for the 2018 [2014] tax year may not reduce the amount of or repeal the exemption. This subsection expires December 31, 2023 [2019].

SECTION _____. Section 11.26(a), Tax Code, is amended to read as follows:

(a) The tax officials shall appraise the property to which this section applies and calculate taxes as on other property, but if the tax so calculated exceeds the limitation imposed by this section, the tax imposed is the amount of the tax as limited by this section, except as otherwise provided by this section. A school district may not increase the total annual amount of ad valorem tax it imposes on the residence homestead of an individual 65 years of age or older or on the residence homestead of an individual who is disabled, as defined by Section 11.13, above the amount of the tax it imposed in the first tax year in which the individual qualified that residence homestead for the applicable exemption provided by Section 11.13(c) for an individual who is 65 years of age or older or is disabled. If the individual qualified that residence homestead for the exemption after the beginning of that first year and the residence homestead remains eligible for the same exemption for the next year, and if the school district taxes imposed on the residence homestead in the next year are less than the amount of taxes imposed in that first year, a school district may not subsequently increase the total annual amount of ad valorem taxes it imposes on the residence homestead above the amount it imposed in the year immediately following the first year for which the individual qualified that residence homestead for the same exemption, except as provided by Subsection (b). If the first tax year the individual qualified the residence homestead for the exemption provided by Section 11.13(c) for individuals 65 years of age or older or disabled was a tax year before the 2019 [2015] tax year, the amount of the limitation provided by this section is the amount of tax the school district imposed for the 2018 [2014] tax year less an amount equal to the amount determined by multiplying \$15,000 [\$10,000] times the tax rate of the school district for the 2019 [2015] tax year, plus any 2018 [2015] tax attributable to improvements made in 2018 [2014], other than improvements made to comply with governmental regulations or repairs. If the first tax year the individual qualified the residence homestead for the exemption provided by Section 11.13(c) for individuals 65 years of age or older or disabled was a tax year before a tax year in which the amount of the exemption provided by Section 11.13(b) is increased to reflect inflation, the amount of the limitation provided by this section is the amount of tax the school district imposed for the tax year preceding the tax year in which the amount of the exemption is increased less an amount equal to the amount determined by multiplying the amount of the increase by the tax rate of the school district for the year in which the amount of the exemption is increased, plus any tax for the tax year in which the amount of the exemption is increased attributable to improvements made in the preceding tax year, other than improvements made to comply with governmental regulations or repairs. Except as provided by Subsection (b), a limitation on tax

increases provided by this section on a residence homestead computed under this subsection continues to apply to the homestead in subsequent tax years until the limitation expires.

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The amendment to **CSHB 3** was read.

Senator West withdrew Floor Amendment No. 72.

Senator West offered the following amendment to the bill:

Floor Amendment No. 73

Amend **CSHB 3** (senate committee printing) in ARTICLE 4 of the bill as follows:

(1) In the recital to SECTION 4.011 of that article (page 109, line 23), strike "48.2551 and 48.2552" and substitute "48.2551, 48.2552, and 48.2553".

(2) In SECTION 4.011 of that article, immediately following added Section 48.2552, Education Code (page 110, between lines 35 and 36), insert the following:

Sec. 48.2553. PERMITTED TAX RATE FOR MAINTENANCE OF 2020-2021 SCHOOL YEAR BASIC ALLOTMENT. (a) Notwithstanding any other provision of this title or Chapter 26, Tax Code, if the maximum amount of the basic allotment provided under Section 48.051(a) or (b) for a school year is less than the maximum amount provided for the 2020-2021 school year, subject to Subsection (b), a school district may adopt a maintenance and operations tax rate that exceeds the maximum compressed tax rate permitted under Section 48.2551, provided that:

(1) the rate adopted by the district was previously approved by voters for a tax year subsequent to the 2005 tax year; and

(2) the rate may not exceed the lesser of:

(A) \$1.17; or

(B) the district's maximum compressed tax rate and the additional tax rate necessary to generate the amount of revenue equal to the difference in per student funding.

(b) Before adopting a maintenance and operations tax rate under Subsection (a), a school district must receive approval from the agency. To receive approval from the agency under this subsection the district must submit the following information:

(1) a statement detailing the loss of funding to the district that resulted from the decline in the maximum amount of the basic allotment provided under Section 48.051(a) or (b);

(2) the proposed additional tax effort and the amount of funding the proposed additional tax effort will generate;

(3) evidence that the proposed additional tax effort described by Subdivision (2) had been previously authorized by voters subsequent to the 2005 tax year; and

(4) any other information required by the commissioner.

(c) The agency's approval of a district's tax rate under Subsection (b) expires at the end of each tax year.

(d) Any additional tax effort by a school district authorized under this section is not:

(1) eligible for funding under Subchapter B, C, or D;

(2) eligible for the guaranteed yield amount of state funds under Section 48.202; or

(3) subject to the limit on local revenue under Section 48.257.

(e) The commissioner shall reduce state aid or adjust the limit on local revenue under Section 48.257 in an amount equal to the amount of revenue generated by a school district's tax effort that is not in compliance with this section or Section 48.2551.

(f) This section does not apply to a school district to which Section 45.003(f) applies.

WEST
MENÉNDEZ

The amendment to **CSHB 3** was read.

Senator Watson offered the following amendment to Floor Amendment No. 73:

Floor Amendment No. 74

Amend Amendment No. 73 by West to **CSHB 3** as follows:

(1) In added Section 48.2553(a), Education Code, strike page 1, lines 17-23 and substitute the following:

Section 48.2551, provided that the rate may not exceed the district's maximum compressed tax rate

(2) In added Section 48.2553(b)(2), Education Code (page 2, line 5), immediately following the underlined semicolon, insert "and".

(3) In added Section 48.2553(b), Education Code, strike Subdivision (3) (page 2, lines 6-8), and renumber subsequent subdivisions accordingly.

(4) Add the following appropriately numbered SECTION to Article 4 of the bill and renumber the SECTIONS of that article accordingly:

SECTION 4.____. Section 31.01, Tax Code, is amended by adding Subsection (d-2) to read as follows:

(d-2) This subsection applies only to a school district the governing body of which adopts a maintenance and operations tax rate for the current tax year under Section 48.2553, Education Code. In addition to any other information required by this section, the tax bill or the separate statement must include a statement in the following form:

"Your property taxes for the (name of school district) are higher than they otherwise would be this year because the Texas Legislature reduced the maximum amount of per student funding available to the district to an amount below the maximum amount of that funding provided for the 2020-2021 school year."

The amendment to Floor Amendment No. 73 to **CSHB 3** was read.

Senator Watson withdrew Floor Amendment No. 74.

Question recurring on the adoption of Floor Amendment No. 73 to **CSHB 3**, the amendment was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 73.

Senator West offered the following amendment to the bill:

Floor Amendment No. 75

Amend **CSHB 3** (senate committee report) as follows:

(1) In Article 6 of the bill (page 116, between lines 38 and 39), insert the following SECTION:

SECTION 6.009. (a) Notwithstanding any other law, to secure the best value for the state and ensure the best design, operation, and implementation of assessment instruments, the Texas Education Agency may:

(1) provide an additional period for all respondents to provide new proposals for the assessment solicitations posted in 2019; and

(2) extend the current assessment contracts through the end of the state fiscal biennium ending August 31, 2021.

(b) This section expires September 1, 2021.

(2) In SECTION 7.001 of the bill, providing an effective date for the bill, strike Subsection (b) (page 116, lines 43 through 47) and substitute the following:

(b) Article 2 and Section 6.009 of this Act take effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, Article 2 and Section 6.009 of this Act take effect September 1, 2019.

WEST
MENÉNDEZ

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 75.

Senator Schwertner offered the following amendment to the bill:

Floor Amendment No. 76

Amend **CSHB 3** (senate committee report) by adding the following appropriately numbered SECTION to ARTICLE 7 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 7. _____. Notwithstanding any other provision of this Act, this Act takes effect only if S.B. 2, 86th Legislature, Regular Session, 2019, becomes law. If S.B. 2, 86th Legislature, Regular Session, 2019, does not become law, this Act has no effect.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 76 except as follows:

Nays: Alvarado, Hinojosa, Johnson, Menéndez, Powell, Rodríguez, Watson, West, Whitmire.

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 77

Amend **CSHB 3** (senate committee printing) by adding the following appropriately numbered SECTION to ARTICLE 4 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 4. _____. Chapter 26, Tax Code, is amended by adding Section 26.151 to read as follows:

Sec. 26.151. ESCROW ACCOUNT FOR PROPERTY TAXES. (a) In this section:

(1) "Home loan" has the meaning assigned by Section 343.001, Finance Code.

(2) "Home loan servicer" means a person who:
(A) receives scheduled payments from a borrower under the terms of a home loan, including amounts for escrow accounts; and

(B) makes the payments of principal and interest to the owner of the loan or other third party and makes any other payments with respect to the amounts received from the borrower as may be required under the terms of the servicing loan document or servicing contract.

(3) "Property tax escrow account" means an escrow account maintained by a lender or loan servicer to hold funds prepaid by the borrower on a loan for the payment of property taxes on real property securing the loan as the taxes become due.

(b) To the extent that H.B. 3, 86th Legislature, Regular Session, 2019, has the effect of reducing property taxes in this state, a lender or home loan servicer of a home loan that maintains a property tax escrow account must take into account the effect of that legislation in establishing the borrower's annual property tax payments to be held in that account and immediately adjust the borrower's monthly payments accordingly.

(c) This section expires September 1, 2023.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 77.

Senator Bettencourt offered the following amendment to the bill:

Floor Amendment No. 78

Amend **CSHB 3** (senate committee printing) as follows:

(1) In SECTION 2.002 of the bill, in amended Section 7.028(a), Education Code (page 62, line 59), between "Section" and "29.001(5)", insert "21.006(k), 22.093(l), 22.096,".

(2) After ARTICLE 2 of the bill (page 83, between lines 4 and 5), insert the following:

ARTICLE 2B. PROVISIONS REGARDING EMPLOYING, TERMINATING, AND REPORTING MISCONDUCT OF PUBLIC SCHOOL AND RELATED ENTITY PERSONNEL

SECTION 2B. ____. Section 12.027(a), Education Code, is amended to read as follows:

(a) The State Board of Education may place on probation or revoke a home-rule school district charter of a school district if the board determines that the district:

(1) committed a material violation of the charter, including by failure to comply with the duty to discharge or refuse to hire certain employees or applicants for employment, as provided by Section 12.0271;

(2) failed to satisfy generally accepted accounting standards of fiscal management; or

(3) failed to comply with this subchapter or other applicable federal or state law or rule.

SECTION 2B. __. Subchapter B, Chapter 12, Education Code, is amended by adding Section 12.0271 to read as follows:

Sec. 12.0271. FAILURE TO DISCHARGE OR REFUSE TO HIRE CERTAIN EMPLOYEES OR APPLICANTS. A home-rule school district commits a material violation of the school district's charter if the school district fails to comply with the duty to discharge or refuse to hire certain employees or applicants for employment under Section 22.085 or 22.092.

SECTION 2B. __. Section 12.056(b), Education Code, is amended to read as follows:

(b) A campus or program for which a charter is granted under this subchapter is subject to:

(1) a provision of this title establishing a criminal offense; and

(2) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) criminal history records under Subchapter C, Chapter 22;

(C) high school graduation under Section 28.025;

(D) special education programs under Subchapter A, Chapter 29;

(E) bilingual education under Subchapter B, Chapter 29;

(F) prekindergarten programs under Subchapter E, Chapter 29;

(G) extracurricular activities under Section 33.081;

(H) health and safety under Chapter 38; ~~and~~

(I) public school accountability under Subchapters B, C, D, F, and J, Chapter 39, and Chapter 39A; and

(J) the duty to discharge or refuse to hire certain employees or applicants for employment under Section 12.1059.

SECTION 2B. __. Section 12.063(a), Education Code, is amended to read as follows:

(a) A board of trustees may place on probation or revoke a charter it grants if the board determines that the campus or program:

(1) committed a material violation of the charter, including by failure to comply with the duty to discharge or refuse to hire certain employees or applicants for employment, as provided by Section 12.0631;

(2) failed to satisfy generally accepted accounting standards of fiscal management; or

(3) failed to comply with this subchapter, another law, or a state agency rule.

SECTION 2B. __. Subchapter C, Chapter 12, Education Code, is amended by adding Section 12.0631 to read as follows:

Sec. 12.0631. FAILURE TO DISCHARGE OR REFUSE TO HIRE CERTAIN EMPLOYEES OR APPLICANTS. A campus or campus program granted a charter under this subchapter commits a material violation of its charter if the campus or program fails to comply with the duty to discharge or refuse to hire certain employees or applicants for employment under Section 12.1059, 22.085, or 22.092.

SECTION 2B. __. Section 12.1059, Education Code, is amended to read as follows:

Sec. 12.1059. REQUIREMENTS [~~AGENCY APPROVAL REQUIRED~~] FOR EMPLOYMENT OF CERTAIN EMPLOYEES. A person may not be employed by or serve as a teacher, librarian, educational aide, administrator, or school counselor for an open-enrollment charter school unless:

(1) the person has been approved by the agency following a review of the person's national criminal history record information as provided by Section 22.0832; and

(2) the school has confirmed that the person is not included in the registry under Section 22.092.

SECTION 2B. __. Section 12.115(a), Education Code, is amended to read as follows:

(a) Except as provided by Subsection (c), the commissioner shall revoke the charter of an open-enrollment charter school or reconstitute the governing body of the charter holder if the commissioner determines that the charter holder:

(1) committed a material violation of the charter, including by a failure to:
(A) satisfy accountability provisions prescribed by the charter; or
(B) comply with the duty to discharge or refuse to hire certain employees or applicants for employment, as provided by Section 12.1151;

(2) failed to satisfy generally accepted accounting standards of fiscal management;

(3) failed to protect the health, safety, or welfare of the students enrolled at the school;

(4) failed to comply with this subchapter or another applicable law or rule;

(5) failed to satisfy the performance framework standards adopted under Section 12.1181; or

(6) is imminently insolvent as determined by the commissioner in accordance with commissioner rule.

SECTION 2B. __. Subchapter D, Chapter 12, Education Code, is amended by adding Section 12.1151 to read as follows:

Sec. 12.1151. FAILURE TO DISCHARGE OR REFUSE TO HIRE CERTAIN EMPLOYEES OR APPLICANTS. An open-enrollment charter school commits a material violation of the school's charter if the school fails to comply with the duty to discharge or refuse to hire certain employees or applicants for employment under Section 12.1059, 22.085, or 22.092.

SECTION 2B. __. Section 12A.008, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The commissioner may terminate a district's designation as a district of innovation if the district fails to comply with the duty to discharge or refuse to hire certain employees or applicants for employment under Section 12.1059, applicable to the district under Section 12A.004(a)(1), or Section 22.085 or 22.092.

SECTION 2B. Section 21.006, Education Code, is amended by amending Subsections (a), (b), (b-1), (b-2), (c-1), (d), and (e) and adding Subsections (g-1) and (k) to read as follows:

(a) In this section:

(1) "Abuse" [~~;"abuse"~~] has the meaning assigned by Section 261.001, Family Code, and includes any sexual conduct involving an educator and a student or minor.

(2) "Other charter entity" means:

(A) a school district operating under a home-rule school district charter adopted under Subchapter B, Chapter 12;

(B) a campus or campus program operating under a charter granted under Subchapter C, Chapter 12; and

(C) an entity that contracts to partner with a school district under Section 11.174(a)(2) to operate a district campus under a charter granted to the entity by the district under Subchapter C, Chapter 12.

(b) In addition to the reporting requirement under Section 261.101, Family Code, the superintendent or director of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement shall notify the State Board for Educator Certification if:

(1) an educator employed by or seeking employment by the school district, district of innovation, charter school, other charter entity, service center, or shared services arrangement has a criminal record and the school district, district of innovation, charter school, other charter entity, service center, or shared services arrangement obtained information about the educator's criminal record by a means other than the criminal history clearinghouse established under Section 411.0845, Government Code;

(2) an educator's employment at the school district, district of innovation, charter school, other charter entity, service center, or shared services arrangement was terminated and there is evidence that the educator:

(A) abused or otherwise committed an unlawful act with a student or minor;

(A-1) was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor;

(B) possessed, transferred, sold, or distributed a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;

(C) illegally transferred, appropriated, or expended funds or other property of the school district, district of innovation, charter school, other charter entity, service center, or shared services arrangement;

(D) attempted by fraudulent or unauthorized means to obtain or alter a professional certificate or license for the purpose of promotion or additional compensation; or

(E) committed a criminal offense or any part of a criminal offense on school property or at a school-sponsored event;

(3) the educator resigned and there is evidence that the educator engaged in misconduct described by Subdivision (2); or

(4) the educator engaged in conduct that violated the assessment instrument security procedures established under Section 39.0301.

(b-1) A superintendent or director of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement shall complete an investigation of an educator that involves evidence that the educator may have engaged in misconduct described by Subsection (b)(2)(A) or (A-1), despite the educator's resignation from employment before completion of the investigation.

(b-2) The principal of a school district, district of innovation, [~~or~~] open-enrollment charter school, or other charter entity campus must notify the superintendent or director of the school district, district of innovation, [~~or~~] charter school, or other charter entity not later than the seventh business day after the date:

(1) of an educator's termination of employment or resignation following an alleged incident of misconduct described by Subsection (b); or

(2) the principal knew about an educator's criminal record under Subsection (b)(1).

(c-1) The report under Subsection (c):

(1) must be:

(A) [~~(1)~~] in writing; and

(B) [~~(2)~~] in a form prescribed by the board; and

(2) may be filed through the Internet portal developed and maintained by the State Board for Educator Certification under Subsection (g-1).

(d) The superintendent or director shall notify the board of trustees or governing body of the school district, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement and the educator of the filing of the report required by Subsection (c).

(e) A superintendent, director, or principal of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement who in good faith and while acting in an official capacity files a report with the State Board for Educator Certification under this section or communicates with another superintendent, director, or principal concerning an educator's criminal record or alleged incident of misconduct is immune from civil or criminal liability that might otherwise be incurred or imposed.

(g-1) The State Board for Educator Certification shall develop and maintain an Internet portal through which a report required under Subsection (c) may be confidentially and securely filed.

(k) The commissioner may review the records of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement to ensure compliance with the requirement to report misconduct under this section.

SECTION 2B. __. Section 21.0061, Education Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) The board of trustees or governing body of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement shall adopt a policy under which notice is provided to the parent or guardian of a student with whom an educator is alleged to have engaged in misconduct described by Section 21.006(b)(2)(A) or (A-1) informing the parent or guardian:

(1) that the alleged misconduct occurred;

(2) whether the educator was terminated following an investigation of the alleged misconduct or resigned before completion of the investigation; and

(3) whether a report was submitted to the State Board for Educator Certification concerning the alleged misconduct.

(c) In this section, "other charter entity" has the meaning assigned by Section 21.006.

SECTION 2B. __. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.0585 to read as follows:

Sec. 21.0585. NOTICE TO AGENCY REGARDING REVOCATION OF CERTIFICATE OR PERMIT FOR CERTAIN MISCONDUCT. The board shall promptly notify the agency for purposes of Section 22.092 if the board revokes a certificate or permit of a person on a finding that the person engaged in misconduct described by Section 21.006(b)(2)(A) or (A-1).

SECTION 2B. __. Subchapter C, Chapter 22, Education Code, is amended by adding Sections 22.0815 and 22.0825 to read as follows:

Sec. 22.0815. APPLICABILITY OF SUBCHAPTER TO DISTRICTS OF INNOVATION AND OTHER CHARTER ENTITIES. (a) In this section, "other charter entity" has the meaning assigned by Section 21.006.

(b) A prohibition, restriction, or requirement imposed by this subchapter on an open-enrollment charter school applies to the same extent to a district of innovation or other charter entity.

(c) The failure of a district of innovation to provide information required under Section 22.0832 may result in termination of the district's designation as a district of innovation.

Sec. 22.0825. ACCESS TO CRIMINAL HISTORY RECORDS BY TEXAS EDUCATION AGENCY. (a) In this section, "other charter entity" has the meaning assigned by Section 21.006.

(b) The agency shall subscribe to the criminal history clearinghouse as provided by Section 411.0845, Government Code, and may obtain from any law enforcement or criminal justice agency all criminal history record information and all records contained in any closed criminal investigation file that relate to a specific applicant for employment or current or former employee of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement.

SECTION 2B. __. The heading to Section 22.085, Education Code, is amended to read as follows:

Sec. 22.085. EMPLOYEES AND APPLICANTS CONVICTED OF OR PLACED ON DEFERRED ADJUDICATION COMMUNITY SUPERVISION FOR CERTAIN OFFENSES.

SECTION 2B. __. Sections 22.085(a) and (e), Education Code, are amended to read as follows:

(a) A school district, open-enrollment charter school, or shared services arrangement shall discharge or refuse to hire an employee or applicant for employment if the district, school, or shared services arrangement obtains information through a criminal history record information review that[~~±~~

~~[(+)]~~ the employee or applicant has been:

(1) convicted of or placed on deferred adjudication community supervision for[~~±~~

~~[(A) a felony offense under Title 5, Penal Code;~~

~~[(B) an offense for [on conviction of] which a defendant is required to register as a sex offender under Chapter 62, Code of Criminal Procedure; or~~

(2) convicted of:

(A) a felony offense under Title 5, Penal Code, if the victim of the offense was under 18 years of age at the time the offense was committed; or

(B) ~~[(C)]~~ an offense under the laws of another state or federal law that is equivalent to an offense under Subdivision (1) or Paragraph (A) ~~[or (B); and~~
~~[(2) at the time the offense occurred, the victim of the offense described by Subdivision (1) was under 18 years of age or was enrolled in a public school].~~

(e) The State Board for Educator Certification may impose a sanction on an educator who does not discharge an employee or refuse to hire an applicant for employment if the educator knows or should have known, through a criminal history record information review, that the employee or applicant has been:

(1) convicted of or placed on deferred adjudication community supervision for an offense described by Subsection (a)(1); or

(2) convicted of an offense described by Subsection (a)(2) ~~[(+)]~~.

SECTION 2B. __. Chapter 22, Education Code, is amended by adding Subchapter C-1 to read as follows:

SUBCHAPTER C-1. PERSONS NOT ELIGIBLE FOR EMPLOYMENT IN PUBLIC SCHOOLS

Sec. 22.091. DEFINITION. In this subchapter, "other charter entity" has the meaning assigned by Section 21.006.

Sec. 22.092. REGISTRY OF PERSONS NOT ELIGIBLE FOR EMPLOYMENT IN PUBLIC SCHOOLS. (a) The agency shall maintain and make available through the Internet portal developed and maintained by the agency under Section 22.095 a registry of persons who are not eligible to be employed by a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement.

(b) A school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement shall discharge or refuse to hire a person listed on the registry maintained under this section.

(c) The registry maintained under this section must list the following persons as not eligible to be employed by public schools:

(1) a person determined by the agency under Section 22.0832 as a person who would not be eligible for educator certification under Subchapter B, Chapter 21;

(2) a person determined by the agency to be not eligible for employment based on the person's criminal history record information review, as provided by Section 22.0833;

(3) a person who is not eligible for employment based on criminal history record information received by the agency under Section 21.058(b);

(4) a person whose certification or permit issued under Subchapter B, Chapter 21, is revoked by the State Board for Educator Certification on a finding that the person engaged in misconduct described by Section 21.006(b)(2)(A) or (A-1); and

(5) a person who is determined by the commissioner under Section 22.094 to have engaged in misconduct described by Section 22.093(c)(1)(A) or (B).

(d) The agency shall provide private schools and public schools equivalent access to the registry maintained under this section.

(e) The agency shall adopt rules as necessary to implement this section.

Sec. 22.093. REQUIREMENT TO REPORT EMPLOYEE MISCONDUCT. (a) In this section, "abuse" has the meaning assigned by Section 261.001, Family Code, and includes any sexual conduct involving a student or minor.

(b) This section applies to a person who is employed by a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement and who does not hold a certification or permit issued under Subchapter B, Chapter 21.

(c) In addition to the reporting requirement under Section 261.101, Family Code, the superintendent or director of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement shall notify the commissioner if:

(1) an employee's employment at the school district, district of innovation, charter school, other charter entity, service center, or shared services arrangement was terminated and there is evidence that the employee:

(A) abused or otherwise committed an unlawful act with a student or minor; or

(B) was involved in a romantic relationship with or solicited or engaged in sexual contact with a student or minor; or

(2) the employee resigned and there is evidence that the employee engaged in misconduct described by Subdivision (1).

(d) A superintendent or director of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement shall complete an investigation of an employee that involves evidence that the employee may have engaged in misconduct described by Subsection (c)(1)(A) or (B), despite the employee's resignation from employment before completion of the investigation.

(e) The principal of a school district, district of innovation, open-enrollment charter school, or other charter entity campus must notify the superintendent or director of the school district, district of innovation, charter school, or other charter entity not later than the seventh business day after the date of an employee's termination of employment or resignation following an alleged incident of misconduct described by Subsection (c)(1)(A) or (B).

(f) The superintendent or director must notify the commissioner by filing a report with the commissioner not later than the seventh business day after the date the superintendent or director receives a report from a principal under Subsection (e) or knew about an employee's termination of employment or resignation following an alleged incident of misconduct described by Subsection (c)(1)(A) or (B). The report must be:

(1) in writing; and

(2) in a form prescribed by the commissioner.

(g) The superintendent or director shall notify the board of trustees or governing body of the school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement and the employee of the filing of the report required by Subsection (f).

(h) A superintendent or director who in good faith and while acting in an official capacity files a report with the commissioner under Subsection (f) or a principal who in good faith and while acting in an official capacity notifies a superintendent or director under Subsection (e) is immune from civil or criminal liability that might otherwise be incurred or imposed.

(i) The commissioner shall refer an educator who fails to file a report in violation of Subsection (f) to the State Board for Educator Certification, and the board shall determine whether to impose sanctions against the educator.

(j) The name of a student or minor who is the victim of abuse or unlawful conduct by an employee must be included in a report filed under this section, but the name of the student or minor is not public information under Chapter 552, Government Code.

(k) A superintendent or director required to file a report under Subsection (f) commits an offense if the superintendent or director fails to file the report by the date required by that subsection with intent to conceal an employee's criminal record or alleged incident of misconduct. A principal required to notify a superintendent or director about an employee's alleged incident of misconduct under Subsection (e) commits an offense if the principal fails to provide the notice by the date required by that subsection with intent to conceal an employee's alleged incident of misconduct. An offense under this subsection is a state jail felony.

(l) The commissioner may review the records of a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement to ensure compliance with the requirement to report misconduct under this section.

(m) The commissioner shall adopt rules as necessary to implement this section.

Sec. 22.094. NOTICE OF ALLEGED MISCONDUCT; INVESTIGATION; HEARING. (a) A person described by Section 22.093(b) and who is the subject of a report that alleges misconduct described by Section 22.093(c)(1)(A) or (B) is entitled to a hearing on the merits of the allegations of misconduct under the procedures provided by Chapter 2001, Government Code, to contest the allegation in the report.

(b) On receiving a report filed under Section 22.093(f), the commissioner shall promptly send to the person who is the subject of the report a notice that includes:

(1) a statement informing the person that the person must request a hearing on the merits of the allegations of misconduct within the period provided by Subsection (c);

(2) a request that the person submit a written response within the period provided by Subsection (c) to show cause why the commissioner should not pursue an investigation; and

(3) a statement informing the person that if the person does not timely submit a written response to show cause as provided by Subdivision (2), the agency shall provide information indicating the person is under investigation in the manner provided by Subsection (d).

(c) A person entitled to a hearing under Subsection (a) must request a hearing and submit a written response to show cause not later than the 10th day after the date the person receives the notice from the commissioner provided under Subsection (b).

(d) If a person who receives notice provided under Subsection (b) does not timely submit a written response to show cause why the commissioner should not pursue an investigation, the commissioner shall instruct the agency to make available through the Internet portal developed and maintained by the agency under Section 22.095 information indicating that the person is under investigation for alleged misconduct.

(e) If a person entitled to a hearing under Subsection (a) does not request a hearing as provided by Subsection (c), the commissioner shall:

(1) based on the report filed under Section 22.093(f), make a determination whether the person engaged in misconduct; and

(2) if the commissioner determines that the person engaged in misconduct described by Section 22.093(c)(1)(A) or (B), instruct the agency to add the person's name to the registry maintained under Section 22.092.

(f) If a person entitled to a hearing under Subsection (a) requests a hearing as provided by Subsection (c) and the final decision in that hearing determines that the person engaged in misconduct described by Section 22.093(c)(1)(A) or (B), the commissioner shall instruct the agency to add the person's name to the registry maintained under Section 22.092.

(g) If a person entitled to a hearing under Subsection (a) requests a hearing as provided by Subsection (c) and the final decision in that hearing determines that the person did not engage in misconduct described by Section 22.093(c)(1)(A) or (B), the commissioner shall instruct the agency to immediately remove from the Internet portal developed and maintained by the agency under Section 22.095 the information indicating that the person is under investigation for alleged misconduct.

(h) The commissioner shall adopt rules as necessary to implement this section.

Sec. 22.095. INTERNET PORTAL. The agency shall develop and maintain an Internet portal through which:

(1) a report required under Section 22.093(f) may be confidentially and securely filed; and

(2) the agency makes available:

(A) the registry of persons who are not eligible to be employed in public schools as described by Section 22.092; and

(B) information indicating that a person is under investigation for alleged misconduct in accordance with Section 22.094(d), provided that the agency must provide the information through a procedure other than the registry described under Paragraph (A).

Sec. 22.096. COMPLIANCE MONITORING. The agency shall periodically conduct site visits and review the records of school districts, districts of innovation, open-enrollment charter schools, other charter entities, regional education service centers, and shared services arrangements to ensure compliance with Section 22.092(b).

SECTION 2B. __. Section 39.0302(a), Education Code, is amended to read as follows:

(a) During an agency investigation or audit of a school district under Section 39.0301(e) or (f), an accreditation investigation under Section 39.057(a)(8) or (14), a compliance review under Section 21.006(k), 22.093(l), or 22.096, or an investigation by the State Board for Educator Certification of an educator for an alleged violation of an assessment instrument security procedure established under Section 39.0301(a), the commissioner may issue a subpoena to compel the attendance of a relevant witness or the production, for inspection or copying, of relevant evidence that is located in this state.

(3) Add the following appropriately numbered SECTIONS to ARTICLE 6 of the bill and renumber subsequent SECTIONS of that article accordingly:

SECTION 6. __. As soon as practicable after September 1, 2019:

(1) the State Board for Educator Certification shall develop the Internet portal required by Section 21.006(g-1), Education Code, as added by this Act; and

(2) the Texas Education Agency shall develop the Internet portal required by Section 22.095, Education Code, as added by this Act.

SECTION 6. __. The Texas Education Agency shall establish the registry of persons who are not eligible to be employed by a school district, district of innovation, open-enrollment charter school, other charter entity, regional education service center, or shared services arrangement, as required by Section 22.092, Education Code, as added by this Act, as soon as practicable after September 1, 2019, and not later than January 1, 2020.

The amendment to **CSHB 3** was read.

Senator Bettencourt offered the following amendment to Floor Amendment No. 78:

Floor Amendment No. 79

Amend Amendment No. 78 by Bettencourt to **CSHB 3** in item (3) of the amendment (page 19, following line 2) by inserting the following:

SECTION 6. __. The State Board for Educator Certification is required to implement a provision of Article 2B of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the board may, but is not required to, implement a provision of Article 2B of this Act using other appropriations available for that purpose.

SECTION 6.____. The Texas Education Agency is required to implement a provision of Article 2B of this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the agency may, but is not required to, implement a provision of Article 2B of this Act using other appropriations available for that purpose.

The amendment to Floor Amendment No. 78 to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 79.

Question recurring on the adoption of Floor Amendment No. 78 to **CSHB 3**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 78 as amended.

Senator Taylor offered the following amendment to the bill:

Floor Amendment No. 80

Amend **CSHB 3** (senate committee report) as follows:

(1) In SECTION 1.007 of the bill, in added Section 45.003(d-2), Education Code, strike page 5, lines 42-46, and substitute the following:
to voter approval, adopt a rate that does not exceed the maximum rate permitted under Subsection (d) minus the sum of:

(1) the amount by which \$1.00 exceeds the product of the state compression percentage, as determined under Section 48.255, multiplied by \$1.00; and

(2) the amount by which the district is required to reduce the district's enrichment tax rate under Section 48.202(f).

(2) In SECTION 1.026 of the bill, in added Section 48.108(b), Education Code (page 20, lines 66 and 67), strike "early childhood literacy proficiency plan adopted under Section 11.185" and substitute "early childhood literacy plan adopted under Section 11.256".

(3) Strike the recital to SECTION 1.027 of the bill, adding sections to Subchapter C, Chapter 48, Education Code (page 21, lines 7 through 9), and substitute "(a) Effective September 1, 2019, Subchapter C, Chapter 48, Education Code, as added by this Act, is amended by adding Section 48.109 to read as follows:".

(4) In SECTION 1.027 of the bill, in added Section 48.109(a), Education Code, strike page 21, lines 12 through 16, and substitute the following:

shall determine the threshold percentage as provided by Subsection (f) for meets grade level performance on the third grade reading assessment instrument administered under Section 39.023 or an alternative third grade reading assessment instrument adopted under Subsection (e) for each of the following cohorts:

(5) In SECTION 1.027 of the bill, in added Section 48.109(b), Education Code, strike Subsection (b) (page 21, lines 23 through 33) and substitute the following:

(b) Each year, the commissioner shall determine for each school district the minimum number of students in each cohort described by Subsection (a) enrolled in the district who would have to perform at or above the meets grade level performance standard set by the commissioner on an assessment instrument described by that

subsection in order for the district to achieve a meets grade level performance percentage for that cohort on the assessment instrument equal to the threshold percentage established for that cohort under that subsection.

(6) In SECTION 1.027 of the bill, in added Section 48.109(f), Education Code, strike page 21, line 60, through page 22, line 2, and substitute the following:

(f) The commissioner shall establish the threshold percentages under Subsection (a) for each assessment instrument described by that subsection using the 25th percentile of statewide meets grade level performance for the applicable cohort for the third grade reading assessment instrument administered under Section 39.023 during the 2017-2018 school year. If for

(7) In SECTION 1.027 of the bill, in added Section 48.109(g), Education Code (page 22, line 11), strike "(b)" and substitute "(a)".

(8) On page 22, between lines 43 and 44, insert the following:

(b) Effective September 1, 2022, Subchapter C, Chapter 48, Education Code, as added by this Act, is amended by adding Section 48.109 to read as follows:

Sec. 48.109. THIRD GRADE LANGUAGE ARTS OUTCOMES BONUS. (a)

For purposes of the outcomes bonus under this section, the commissioner shall determine the threshold percentage as provided by Subsection (f) for meets grade level performance on the third grade language arts assessment instrument administered under Section 39.023 or an alternative third grade language arts assessment instrument adopted under Subsection (e) for each of the following cohorts:

(1) students who are educationally disadvantaged;

(2) students who are not educationally disadvantaged; and

(3) students who are enrolled in a special education program under

Subchapter A, Chapter 29, regardless of whether the students are educationally disadvantaged.

(b) Each year, the commissioner shall determine for each school district the minimum number of students in each cohort described by Subsection (a) enrolled in the district who would have to perform at or above the meets grade level performance standard set by the commissioner on an assessment instrument described by that subsection in order for the district to achieve a meets grade level performance percentage for that cohort on the assessment instrument equal to the threshold percentage established for that cohort under that subsection.

(c) For each student in a cohort described by Subsection (a) who performed at or above the meets grade level performance standard set by the commissioner on an assessment instrument described by that subsection during the preceding school year in excess of the minimum number of students determined for the applicable district cohort under Subsection (b), a school district is entitled to an annual outcomes bonus of:

(1) if the student is educationally disadvantaged, \$4,000;

(2) if the student is not educationally disadvantaged, \$1,000; and

(3) if the student is enrolled in a special education program under

Subchapter A, Chapter 29, \$1,000.

(d) A school district is entitled to an outcomes bonus under each provision of Subsection (c) for which a student qualifies.

(e) For purposes of this section, the commissioner shall adopt at least one alternative third grade language arts assessment instrument and set a meets grade level performance standard on the assessment instrument equivalent to the meets grade level performance standard set under Section 39.0241 for the third grade language arts assessment instrument administered under Section 39.023. The assessment instrument adopted under this subsection must have been administered to a sufficient number of public school students, as determined by the commissioner, to enable the commissioner to establish a percentile of statewide meets grade level performance for the assessment instrument under Subsection (f).

(f) The commissioner shall establish the threshold percentages under Subsection (a) for each assessment instrument described by that subsection using the 25th percentile of statewide meets grade level performance for the applicable cohort for the third grade reading assessment instrument administered during the 2017-2018 school year under Section 39.023, as that section existed on September 1, 2018. If for any year the commissioner determines that the assessment instrument has materially changed, the commissioner shall adjust the percentile of statewide meets grade level performance in a manner that maintains the threshold percentages determined under Subsection (a) for the assessment instrument before the change.

(g) In determining the amount of funding to which a school district is entitled under this section, the commissioner shall consider student performance on the assessment instrument described by Subsection (a) that would result in the greater amount of funding.

(h) A school district may not receive funding based on student performance on an alternative third grade language arts assessment instrument adopted under Subsection (e) unless the district:

(1) administers the assessment instrument:

(A) to all students to whom the third grade language arts assessment instrument under Section 39.023 is required to be administered, other than students who receive:

(i) an exemption from the administration of the third grade language arts assessment instrument; or

(ii) accommodations for the administration of the third grade language arts assessment instrument that are not provided for the administration of the alternative third grade language arts assessment instrument; and

(B) using test security and administration protocols required by commissioner rule; and

(2) provides to the agency student performance data for the assessment instrument in accordance with commissioner rule.

(i) This section does not:

(1) require a school district to administer an alternative third grade language arts assessment instrument adopted under Subsection (e); or

(2) alter a school district's obligations regarding the administration of the third grade language arts assessment instrument under Section 39.023.

(j) At least once every five years, the agency shall:

(1) conduct a longitudinal impact study on each alternative third grade language arts assessment instrument adopted under Subsection (e); and

(2) submit to the legislature a report on the results of the study conducted under Subdivision (1).

SECTION 1. _____. Subchapter C, Chapter 48, Education Code, as added by this Act, is amended by adding Sections 48.110, 48.111, 48.112, and 48.113 to read as follows:

(9) In SECTION 1.027 of the bill, in added Section 48.110(a), Education Code, strike page 22, lines 47 through 50, and substitute the following:

as provided by Subsection (f) for college, career, or military readiness as described by Subsection (e) for each of the following cohorts:

(10) In SECTION 1.027 of the bill, in added Section 48.110, Education Code (page 23, between lines 36 and 37), insert the following:

(f) The commissioner shall establish the threshold percentages under Subsection (a) using the 25th percentile of statewide college, career, or military readiness as described by Subsection (e) for the applicable cohort of annual graduates during the 2016-2017 school year.

(11) Strike the recital to SECTION 1.041 of the bill, adding sections to Subchapter F, Chapter 48, Education Code (page 42, lines 20 through 22), and substitute "(a) Effective September 1, 2019, Subchapter F, Chapter 48, Education Code, as added by this Act, is amended by adding Section 48.277 to read as follows:"

(12) On page 43, between lines 8 and 9, insert the following:

(b) Effective September 1, 2021, Subchapter F, Chapter 48, Education Code, as added by this Act, is amended by adding Section 48.277 to read as follows:

Sec. 48.277. FORMULA TRANSITION GRANT. (a) A school district or open-enrollment charter school is entitled to receive an annual allotment for each student in average daily attendance in the amount equal to the difference, if the difference is greater than zero, that results from subtracting the total maintenance and operations revenue per student in average daily attendance for the current school year from the lesser of:

(1) 100 percent of the district's or school's total maintenance and operations revenue per student in average daily attendance for the applicable school year under Subsection (b)(1) that the district or school would have received under former Chapters 41 and 42, as those chapters existed on January 1, 2019; or

(2) 128 percent of the statewide average amount of maintenance and operations revenue per student in average daily attendance that would have been provided for the applicable school year under Subsection (b)(1) under former Chapters 41 and 42, as those chapters existed on January 1, 2019.

(b) For purposes of calculating maintenance and operations revenue under Subsection (a), the commissioner shall:

(1) for purposes of Subsections (a)(1) and (2), use the following applicable school year:

(A) in a school year ending in an even-numbered year, the 2019-2020 school year; and

(B) in a school year ending in an odd-numbered year, the 2020-2021 school year;

(2) include all state and local funding, except for any funding resulting from:

(A) reimbursement for disaster remediation costs under former Sections 41.0931 and 42.2524;

(B) an adjustment for rapid decline in taxable value of property under former Section 42.2521;

(C) an adjustment for property value affected by a state of disaster under former Section 42.2523;

(D) 50 percent of the third grade language arts outcomes bonus under Section 48.109;

(E) 50 percent of the college, career, or military readiness outcomes bonus under Section 48.110;

(F) 50 percent of the teacher incentive allotment under Section 48.112;
and

(G) the classroom teacher and librarian allotment under Section 48.280;

(3) adjust the calculation to reflect a reduction in tax effort by a school district; and

(4) if a school district or open-enrollment charter school receives a waiver relating to eligibility requirements for the national free or reduced-price lunch program under 42 U.S.C. Section 1751 et seq., use the numbers of educationally disadvantaged students on which the district's or school's entitlement to compensatory education funds was based for the school year before the school year in which the district or school received the waiver, adjusted for estimated enrollment growth.

(c) A school district or open-enrollment charter school is not entitled to an allotment under Subsection (a) beginning with the 2024-2025 school year.

(d) This section expires September 1, 2025.

SECTION 1. Subchapter F, Chapter 48, Education Code, as added by this Act, is amended by adding Sections 48.278, 48.279, and 48.280 to read as follows:

(13) In the recital to SECTION 2.001 of the bill, adding Section 4.003, Education Code (page 62, line 42), between the period and "Chapter", insert "(a) Effective September 1, 2019,".

(14) On page 62, between lines 56 and 57, insert the following:

(b) Effective September 1, 2021, Chapter 4, Education Code, is amended by adding Section 4.003 to read as follows:

Sec. 4.003. 60x30TX GOALS. To further the state's master plan developed under Section 61.051 for at least 60 percent of all adults aged 25 to 34 in this state to achieve a postsecondary degree or workforce credential by 2030, the following goals are established:

(1) at least 60 percent of all public school students in each demographic category considered under Section 39.053(c)(3) shall perform satisfactorily on a third grade language arts assessment instrument described by Section 48.109(b) by 2030;
and

(2) at least 60 percent of all public school students in each demographic category considered under Section 39.053(c)(3) who graduate high school shall meet college, career, and military readiness standards as provided by Section 48.110(e) by 2030.

(15) Strike SECTION 2.014 of the bill, amending Section 21.410(c), Education Code (page 66, lines 13 through 20).

(16) In the recital to SECTION 2.015 of the bill, amending Section 21.4551(c), Education Code (page 66, line 21), between the period and "Section", insert "Effective September 1, 2021,".

(17) In the recital to SECTION 2.019 of the bill, amending Section 28.006, Education Code (page 69, line 41), strike "(c-1),".

(18) In SECTION 2.019 of the bill, in amended Section 28.006, Education Code, strike Subsection (c-1) (page 70, lines 10 through 17).

(19) Add the following appropriately numbered SECTION to Article 2 of the bill:

SECTION 2.____. Effective September 1, 2021, Section 28.006(c-1), Education Code, is amended to read as follows:

(c-1) Each school district shall administer at the beginning of the seventh grade a reading instrument adopted by the commissioner to each student whose performance on the assessment instrument in language arts [~~reading~~] administered under Section 39.023(a) to the student in grade six did not demonstrate reading proficiency, as determined by the commissioner. The district shall administer the reading instrument in accordance with the commissioner's recommendations under Subsection (a)(1).

(20) In the recital to SECTION 2.020 of the bill, amending Section 28.0061, Education Code (page 70, line 50), between the period and "Section", insert "Effective September 1, 2021,".

(21) In SECTION 2.020 of the bill, in amended Section 28.0061(b), Education Code (page 70, line 56), between "28.006(c)" and the semicolon, insert "or (c-2)".

(22) In the recital to SECTION 2.021 of the bill, amending Section 28.0211(a), Education Code (page 70, line 59), between the period and "Section", insert "Effective September 1, 2021,".

(23) In the recital to SECTION 2.024 of the bill, amending Section 29.056(g), Education Code (page 71, line 34), between the period and "Section", insert "Effective September 1, 2021,".

(24) In the recital to SECTION 2.031 of the bill, amending Section 29.1543, Education Code (page 74, line 4), between the period and "Section", insert "(a) Effective September 1, 2019,".

(25) On page 74, between lines 44 and 45, insert the following:

(b) Effective September 1, 2021, Section 29.1543, Education Code, is amended to read as follows:

Sec. 29.1543. EARLY EDUCATION REPORTS. The agency shall produce and make available to the public on the agency's Internet website annual district and campus-level reports containing information from the previous school year on early education in school districts and open-enrollment charter schools. A report under this section must contain:

(1) the information required by Section 29.1532(c) to be reported through the Public Education Information Management System (PEIMS);

(2) a description of the diagnostic reading instruments administered in accordance with Section 28.006(c) or (c-2);

(3) the number of students who were administered a diagnostic reading instrument administered in accordance with Section 28.006(c) or (c-2);

(4) the number of students whose scores from a diagnostic reading instrument administered in accordance with Section 28.006(c) or (c-2) indicate reading proficiency; ~~and~~

(5) the number of kindergarten students who were enrolled in a prekindergarten program in the previous school year in the same district or school as the district or school in which the student attends kindergarten;

(6) the number and percentage of students who perform satisfactorily on the third grade language arts or mathematics assessment instrument administered under Section 39.023, disaggregated by whether the student was eligible for free prekindergarten under Section 29.153;

(7) the number of students described by Subdivision (6) who attended kindergarten in the district, disaggregated by:

(A) whether the student met the kindergarten readiness standard on the reading instrument adopted under Section 28.006;

(B) whether the student attended prekindergarten in the district; and

(C) the type of prekindergarten the student attended, if applicable; and

(8) the information described by Subdivisions (6) and (7) disaggregated by whether the student is educationally disadvantaged.

(26) In SECTION 2.043 of the bill, in amended Section 39.022, Education Code (page 77, line 7), strike "knowledge- and skills-based" and substitute "based on the essential knowledge and skills adopted by the State Board of Education ~~[knowledge- and skills-based]~~".

(27) Strike the recital to SECTION 2.044 of the bill, amending Section 39.023, Education Code (page 77, lines 13 through 16), and substitute "Effective September 1, 2021, Section 39.023(a), Education Code, is amended to read as follows:".

(28) On page 77, between lines 35 and 36, insert the following, appropriately numbered SECTION to the bill:

SECTION 2. ____. Section 39.023, Education Code, is amended by adding Subsections (a-3), (a-14), (a-15), (c-7), (c-8), and (o) and amending Subsections (a-12), (a-13), (b-1), (c), and (c-3) to read as follows:

(29) Strike SECTIONS 3.016, 3.017, 3.018, and 3.019 of the bill, amending Sections 21.410(h), 21.411(h), 21.412(h), and 21.413(h), Education Code (page 87, lines 16 through 63).

(30) Strike SECTION 3.025 of the bill, amending Section 28.0061(b), Education Code (page 88, lines 41 through 49).

(31) In SECTION 6.001(a) of the bill, adding transition language (page 115, line 64), between "(b)" and "of", insert "or (c)".

(32) On page 115, between lines 68 and 69, insert the following:

(c) Section 28.025, Education Code, as amended by this Act, and Section 28.0256, Education Code, as added by this Act, apply beginning with students enrolled at the 12th grade level during the 2021-2022 school year.

(33) Renumber SECTIONS of the bill accordingly.

The amendment to **CSHB 3** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 80.

CSHB 3 as amended was passed to third reading by the following vote: Yeas 26, Nays 3, Present-not voting 2.

Yeas: Alvarado, Birdwell, Buckingham, Campbell, Fallon, Flores, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Powell, Rodríguez, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, Paxton, Schwertner.

Present-not voting: Bettencourt, Hall.

COMMITTEE SUBSTITUTE HOUSE BILL 3 ON THIRD READING

Senator Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 3** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 2, Present-not voting 3.

Yeas: Alvarado, Birdwell, Buckingham, Campbell, Fallon, Flores, Hancock, Hinojosa, Huffman, Hughes, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Nichols, Perry, Powell, Rodríguez, Seliger, Taylor, Watson, West, Whitmire, Zaffirini.

Nays: Creighton, Schwertner.

Present-not voting: Bettencourt, Hall, Paxton.

REASON FOR VOTE

Senator Rodríguez submitted the following reason for vote on **CSHB 3**:

HB 3 is a significant achievement for the Texas Legislature, and I commend Chairman Taylor for his hard work, dedication, and willingness to work with every member of the Senate on this bill. While I voted today in favor of HB 3, I did so with concerns.

It has many important features; most importantly, increasing the basic allotment. This represents hundreds of dollars in new money per student, which is sorely needed. It provides an allotment for all-day pre-K. It increases compensatory education weights, and adds weights in a new category, dual language, in which El Paso schools have been statewide leaders. It adds funding for teacher pay raises. And it will provide some measure of property tax relief.

This bill is an important step for the Texas Legislature. It is the first time in more than a generation that this body has substantively addressed school finance without a court so ordering, and we are doing so at a time when the state budget is healthy.

These are all positives, and frame the discussion.

With that, however, it has been concerning that the Senate has focused on property taxes first, and education second.

Further, this bill does not add as much as the House did for the basic allotment - at \$5,880, it is \$150 less per student than the House's \$6,030 - and it comes with strings attached. Those include teacher merit pay, in part based on a state test, and additional

standardized student assessments. The bill also concentrates even more authority with the Commissioner of the Texas Education Agency, something that will need to be monitored carefully.

Teacher merit pay is a flawed idea. It failed to live up to expectations when they tried it in the mid-1980s in Texas, and has come up periodically since then. It has been criticized for hurting the collaborative approach necessary for a strong campus team, while not truly measuring teacher effectiveness. In its current form, it is being modeled after Dallas ISD's program, which has received mixed reviews. The Superintendent gave a strong presentation, as did a teacher invited to discuss how it worked for him. However, we also heard from three other teachers, who raised significant questions about whether it is working as advertised. Even the Superintendent raised the concern that every community is different, and the criteria for evaluating teachers should be locally driven, not a one-size-fits-all state design. This bill fails to heed that concern.

We are moving away from standardized tests for many reasons. Whether it is the high-stakes application that often leads to unintended negative consequences, or recent reporting indicating flaws in the grade-level appropriateness of the current tests, it does not make sense to add more tests at this point.

The House version of HB 3 is better on these points. It also is better on spreading the money through the system, so not only do our teachers and librarians get raises, but other essential support staff do as well.

However, in both versions of HB 3, funding for English Learners remains woefully inadequate. Today, about 20 percent of the student population – over one million students – are English Learners. About 25 other states have weights for English Learners; Texas is dead last in its investment. Our neighbors Louisiana, New Mexico, and Oklahoma have weights of 22, 50, and 25 percent, respectively. When the current 0.1 weight was put in place in 1984, experts actually recommended a 0.4 weight. Today, experts indicated that 0.5 is what it costs to educate English Learners in Texas. By increasing the weight for students in dual language programs, only 20 percent of English Learners will benefit, leaving the remaining 80 percent without. If we truly believe it is important for students to achieve biliteracy, we would be increasing the weights for all English Learners.

We are rarely, if ever, given perfect choices in the legislative process. That is especially so with this Texas Legislature when it comes to investments in the social infrastructure that is critical for our future - education.

In 2011, I voted "no" on a budget that cut \$5.4 billion from education, the only budget I have voted against in five sessions. In subsequent budgets, we have done better for education, but instead of the full investment we need, the Legislature has chosen to spend our available funds on other priorities like water and transportation.

Now, we are finally prepared to invest in education. We cannot miss this opportunity, and it should be looked at as a beginning, not an end. I am hopeful that a bill that emerges from conference will address the deficiencies noted above, and that future legislatures will build upon what works in this bill and improve what does not. For these reasons, I voted for the Senate substitute for HB 3.

RODRÍGUEZ

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator Hall and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Agriculture might meet and consider **HB 1325** tomorrow.

MOTION TO RECESS

On motion of Senator Whitmire and by unanimous consent, the Senate at 6:59 p.m. agreed to recess, in memory of Daniel B. Markson, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

- HB 103** to Committee on Higher Education.
- HB 332** to Committee on State Affairs.
- HB 487** to Committee on Transportation.
- HB 639** to Committee on Property Tax.
- HB 643** to Committee on Transportation.
- HB 888** to Committee on State Affairs.
- HB 1191** to Committee on Criminal Justice.
- HB 1239** to Committee on State Affairs.
- HB 1243** to Committee on Finance.
- HB 1273** to Committee on Business and Commerce.
- HB 1543** to Committee on Transportation.
- HB 1548** to Committee on Transportation.
- HB 1614** to Committee on Business and Commerce.
- HB 1652** to Committee on Property Tax.
- HB 1683** to Committee on Business and Commerce.
- HB 1684** to Committee on Business and Commerce.
- HB 1749** to Committee on Higher Education.
- HB 1789** to Committee on Criminal Justice.
- HB 1833** to Committee on Business and Commerce.
- HB 2048** to Committee on Finance.
- HB 2065** to Committee on Finance.
- HB 2091** to Committee on Health and Human Services.
- HB 2102** to Committee on Business and Commerce.
- HB 2166** to Committee on Agriculture.
- HB 2240** to Committee on Natural Resources and Economic Development.
- HB 2256** to Committee on Finance.
- HB 2321** to Committee on Agriculture.
- HB 2531** to Committee on Transportation.
- HB 2631** to Committee on Business and Commerce.
- HB 2632** to Committee on Business and Commerce.
- HB 2660** to Committee on Intergovernmental Relations.
- HB 2771** to Committee on Natural Resources and Economic Development.

HB 2787 to Committee on Business and Commerce.
HB 2818 to Committee on Education.
HB 2856 to Committee on Business and Commerce.
HB 2859 to Committee on Property Tax.
HB 2910 to Committee on State Affairs.
HB 2977 to Committee on Business and Commerce.
HB 3044 to Committee on State Affairs.
HB 3082 to Committee on Criminal Justice.
HB 3117 to Committee on Health and Human Services.
HB 3167 to Committee on Business and Commerce.
HB 3209 to Committee on Intergovernmental Relations.
HB 3211 to Committee on Intergovernmental Relations.
HB 3214 to Committee on Intergovernmental Relations.
HB 3228 to Committee on Business and Commerce.
HB 3306 to Committee on Business and Commerce.
HB 3339 to Committee on Water and Rural Affairs.
HB 3436 to Committee on Intergovernmental Relations.
HB 3510 to Committee on Transportation.
HB 3512 to Committee on Criminal Justice.
HB 3522 to Committee on State Affairs.
HB 3655 to Committee on Higher Education.
HB 3668 to Committee on Water and Rural Affairs.
HB 3768 to Committee on Business and Commerce.
HB 3871 to Committee on Transportation.
HB 3934 to Committee on Business and Commerce.
HB 3965 to Committee on State Affairs.
HB 4090 to Committee on Health and Human Services.
HB 4150 to Committee on Business and Commerce.
HB 4195 to Committee on Criminal Justice.
HB 4222 to Committee on State Affairs.
HB 4260 to Committee on Health and Human Services.
HB 4505 to Committee on Intergovernmental Relations.
HB 4520 to Committee on Intergovernmental Relations.
HB 4559 to Committee on Criminal Justice.
HB 4584 to Committee on Business and Commerce.
HB 4631 to Committee on Intergovernmental Relations.
HB 4635 to Committee on Intergovernmental Relations.
HB 4636 to Committee on Intergovernmental Relations.
HB 4637 to Committee on Intergovernmental Relations.
HB 4642 to Committee on Intergovernmental Relations.
HB 4643 to Committee on Intergovernmental Relations.
HB 4644 to Committee on Intergovernmental Relations.
HB 4645 to Committee on Intergovernmental Relations.
HB 4646 to Committee on Intergovernmental Relations.
HB 4653 to Committee on Intergovernmental Relations.
HB 4655 to Committee on Intergovernmental Relations.

HB 4657 to Committee on Intergovernmental Relations.
HB 4661 to Committee on Intergovernmental Relations.
HB 4666 to Committee on Texas Ports.
HB 4667 to Committee on Intergovernmental Relations.
HB 4672 to Committee on Intergovernmental Relations.
HB 4675 to Committee on Intergovernmental Relations.
HB 4676 to Committee on Intergovernmental Relations.
HB 4677 to Committee on Intergovernmental Relations.
HB 4678 to Committee on Intergovernmental Relations.
HB 4679 to Committee on Intergovernmental Relations.
HB 4680 to Committee on Intergovernmental Relations.
HB 4682 to Committee on Intergovernmental Relations.
HB 4684 to Committee on Intergovernmental Relations.
HB 4686 to Committee on Intergovernmental Relations.
HB 4687 to Committee on Intergovernmental Relations.
HB 4688 to Committee on Intergovernmental Relations.
HB 4690 to Committee on Water and Rural Affairs.
HB 4691 to Committee on Intergovernmental Relations.
HB 4692 to Committee on Intergovernmental Relations.
HB 4694 to Committee on Intergovernmental Relations.
HB 4696 to Committee on Intergovernmental Relations.
HB 4697 to Committee on Intergovernmental Relations.
HB 4698 to Committee on Intergovernmental Relations.
HB 4699 to Committee on Intergovernmental Relations.
HB 4702 to Committee on Intergovernmental Relations.
HB 4703 to Committee on Intergovernmental Relations.
HB 4704 to Committee on Intergovernmental Relations.
HB 4705 to Committee on Water and Rural Affairs.
HB 4709 to Committee on Intergovernmental Relations.
HB 4710 to Committee on Intergovernmental Relations.
HB 4718 to Committee on Intergovernmental Relations.
HB 4729 to Committee on Intergovernmental Relations.

CO-AUTHOR OF SENATE BILL 1198

On motion of Senator Miles, Senator Creighton will be shown as Co-author of **SB 1198**.

CO-AUTHOR OF SENATE BILL 1254

On motion of Senator Bettencourt, Senator Creighton will be shown as Co-author of **SB 1254**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 46

On motion of Senator Seliger, Senator Creighton will be shown as Co-author of **SJR 46**.

CO-SPONSOR OF HOUSE BILL 477

On motion of Senator Bettencourt, Senator Birdwell will be shown as Co-sponsor of **HB 477**.

CO-SPONSORS OF HOUSE BILL 1325

On motion of Senator Perry, Senators Flores and Schwertner will be shown as Co-sponsors of **HB 1325**.

CO-SPONSOR OF HOUSE BILL 1576

On motion of Senator Buckingham, Senator Huffman will be shown as Co-sponsor of **HB 1576**.

CO-SPONSOR OF HOUSE JOINT RESOLUTION 12

On motion of Senator Nelson, Senator Lucio will be shown as Co-sponsor of **HJR 12**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 692 by Hughes, In memory of John A. Williams III.

SR 697 by Whitmire, In memory of Houston Daniel.

Congratulatory Resolutions

SR 693 by Hughes, Recognizing the filmmaking team of *There's Something in the Water*.

SR 694 by Flores, Buckingham, Fallon, Hughes, Kolkhorst, Lucio, and Seliger, Recognizing the participants in the Texas A&M University Agricultural and Natural Resources Policy Internship Program and Public Policy Internship Program.

SR 695 by Flores, Recognizing the Brackett High School varsity cheerleading team for placing in a state championship.

SR 696 by Flores, Recognizing Mia Raquel Reyes on the occasion of her quinceañera.

SR 699 by Perry, Recognizing Grace and Mario Garcia for earning an SBA Minority Owned Small Business of the Year award.

SR 700 by Hinojosa, Recognizing Theodore Charles Hake on the occasion of his retirement.

Official Designation Resolutions

SR 691 by Hughes, Recognizing May 16, 2019, as American Heritage Girls Day.

SR 698 by Perry, Recognizing the month of May as International Internal Audit Awareness Month.

RECESS

Pursuant to a previously adopted motion, the Senate at 7:11 p.m. recessed, in memory of Daniel B. Markson, until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

May 6, 2019

CRIMINAL JUSTICE — CSSB 550

INTERGOVERNMENTAL RELATIONS — HB 3093, HB 3020, HB 2979, HB 2330, CSHB 2477, HB 2324, HB 145, HB 852, HB 1570, HB 1934, HB 1935, HB 2198, HB 3094, HB 3095, HB 3122, HB 3422, HB 1476, HB 892, HB 389, HB 1142, HB 2105, CSSB 1326, CSHB 1402, CSSB 2445, CSSB 2446, CSSB 2553

HIGHER EDUCATION — HB 4465, HB 1516

CRIMINAL JUSTICE — CSSB 1637, CSSB 2093

PROPERTY TAX — HB 2650, CSSB 1613, CSSB 1428, CSSB 1771, HB 380, CSHB 477, CSSB 1090

BUSINESS AND COMMERCE — HB 1655, HB 1667, HB 982, HB 1443, HB 1902, HB 1900, HB 2697, CSSB 1463, CSHB 1997

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSSB 185, CSHB 303, CSSB 694

INTERGOVERNMENTAL RELATIONS — SB 2474, SB 2475, SB 2477, SB 2478, SB 2558, CSSB 2470, CSSB 2472

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSSB 1070

BUSINESS AND COMMERCE — CSSB 2333, CSHB 2196

BILLS ENGROSSED

May 3, 2019

SB 117, SB 232, SB 239, SB 504, SB 691, SB 696, SB 712, SB 784, SB 939, SB 941, SB 1016, SB 1024, SB 1147, SB 1177, SB 1236, SB 1239, SB 1280, SB 1284, SB 1374, SB 1400, SB 1519, SB 1540, SB 1552, SB 1579, SB 1649, SB 1700, SB 1734, SB 1739, SB 1754, SB 1859, SB 1882, SB 1969, SB 1970, SB 1971, SB 1972, SB 2021, SB 2131, SB 2231, SB 2240, SB 2243, SB 2285, SB 2354, SB 2456, SB 2480, SB 2504, SB 2530, SB 2535

RESOLUTIONS ENROLLED

May 3, 2019

SR 688, SR 689, SR 690

