



Legislative Update – February 21, 2025

- **Key Public Education Bills Filed by House**

Public education claimed the House's priority bills as a package of bills, House Bills 2,3,4 and 6, were filed Thursday. (The lowest numbered bills are reserved for the highest priorities.) These key bills address school finance (HB 2), vouchers (HB 3), accountability (HB 4), student discipline / Teachers Bill of Rights (HB 6).

- **Senate Committee for Education K-16 Passed Teacher Pay and Retention Allotment Bill (SB 26)**

Touting historic teacher pay raises, the Senate Education K-16 committee unanimously approved the substitute for SB 26 to establish an allotment that would give teachers (and only teachers) a \$2,500 raise for 3-4 years experience and \$5,500 increase for 5+ years of experience. It would also expand the TIA with a fourth designation, as well as provide PreK for teachers' children and liability insurance administered by TEA. With a cost estimate of \$4.8 billion, when compared to budget bill SB 1, there is concern that the proposed new funding for public education would only support this single bill.

- To date, approximately 4,702 bills have been filed during the 89th Legislative Session, with approximately 1,081 relating to public education.
- Important Dates
 - March 14, 60-day filing deadline, bills move through legislative process
 - June 2, last day of regular session
- Following are initial bills of interest. These have not been fully analyzed - and will likely change during the legislative session – but are being provided for reference.

Bills of Interest Quick Reference

Click on a category below to jump to that section.

- | | |
|-------------------------------|--------------------|
| • ACCOUNTABILITY & ASSESSMENT | • PRE-KINDERGARTEN |
| • ELECTION RELATED | • PROPERTY TAX |
| • FINANCE | • STUDENT LEARNING |
| • OPERATIONS RELATED | • STUDENT SERVICES |
| | • VOUCHERS |

Accountability & Assessment

[HB 4](#) – Buckley – Assessment and Accountability

- Relating to the assessment of public school students, public school accountability and actions, and proceedings challenging the operations of the public school system.



- Repeals the STAAR test and replaces it with a new, shorter assessment more focused on post-secondary preparation to be administered in portions throughout the school year (news summary).
- Mandates the Commissioner to issue A-F ratings each school year.
- Allows the Commissioner to modify standards for each indicator annually and requires the Commissioner to increase standards to ensure that by the 15th year, Texas ranks in the top 5 of states on NAEP performance
- Requires the Commissioner to only increase standards every 5th year and requires the Commissioner to provide "What if" scores for each of the two years prior to an increase
- Allows the Commissioner to issue performance ratings later than Aug. 15 in years when the performance standards change.
- Prohibits the Commissioner from assigning an over rating of "Not Rated" to all districts or campuses on a statewide basis.
- Removes the requirement that the commissioner ensure a performance evaluation allows all districts and campuses the mathematical possibility to receive an A rating.
- Eliminates the provision requiring the Commissioner to provide a document explaining standards prior to the school year and there would no longer be a timeline for the Commissioner to provide the information.
- Allows passing ASVAB and completion of a JROTC program to count for military readiness under CCMR indicators
- Requires TEA to study CCMR indicators to determine their correlation to postsecondary success and provide value to each indicator based on the strength of their correlation with successful outcomes
- Requires the Commissioner to appoint a conservator for a school district if the school district initiates or maintains an action against the state, a state agency, or an officer of the state
- Prohibits school districts from using funds to initiate or maintain actions against the state
- Prevents claimants from paying attorneys in actions against the TEA, SBOE, or SBEC until after a final resolution of the case and only if the claimant is successful in the action.
- Referred to House Public Education Committee 2.25.25.

HB 221 – Landgraf – Eliminating Assessments and EOY Not Required by Federal Law

- Relating to eliminating certain state-required assessment instruments and certain end-of-course assessment instruments not required by federal law.
- Requests adoption of EOC assessments for secondary courses in RLA, Math and Science only as necessary to comply with ESSA.
- Charges the SBOE to adopt rules for EOC assessments to be administered in multiple parts over more than one day.
- Exempts any student enrolled in college prep Math or RLA who also satisfied the TSI requirement from the EOC requirement.
- Student who fails after retaking an EOC, but who receives a score of proficient on TSI diagnostic assessment for corresponding course satisfies the requirement concerning the Math or RLA EOC.

- Charges commissioner of education to award distinction designations for campuses who achieve outstanding performance in academic achievement in reading, math or science (social studies was removed).
- If passed, effective September 1, 2025.

Election Related

SB 409 – Middleton – Prevents Bond Election if Proposition Was Voted Down in Preceding 5 years

- Relating to the authority of a political subdivision to propose for voter approval the issuance of general obligation bonds for a purpose rejected by voters at a bond election.
- prohibit school districts from submitting propositions for voter approval if a proposition for the same purpose has been voted down within the preceding five years.
- If passed, effective September 1, 2025
- Referred to Local Government committee.

SB 843 – Kolkhorst – Bond, Tax, and Project Database

- Relating to a Texas Education Agency database of school district bonds, taxes, and bond-related projects.
- Requires TEA to maintain a database of school district bonds, taxes, and bond-related projects.
- Bond data to include bond ballot language, projected I&S tax rate, result of election, list of projects funded, accounting for use of proceeds of the bond, any increase in I&S.
- Tax data to include each district's proposed or approved tax rate, ballot language, election results.
- If passed, effective September 1, 2025.
- Companion Bill – HB 2053 – Buckley

HB 217 – Harrison – Supermajority Vote to Raise Property Taxes

- Relating to the vote required in an election to approve an ad valorem tax rate that exceeds a taxing unit's voter-approval tax rate; making conforming changes. Requires a 60-percent supermajority vote to raise property taxes.
- Increases required vote threshold to pass a VARE from 50% to 60%.
- If passed, would impact elections held after January 1, 2026.

HB 919 – Harrison – Prevents Using Tax Dollars to Campaign

- Relating to the offense of unlawful use of public funds for communications relating to a measure. Prevents tax dollars from being used to campaign for higher property taxes.

HB 953 – Harrison – Prevents Bond Campaign Contributors from Profiting from Bond Projects

- Relating to a prohibition on the receipt of bond proceeds by persons who make a contribution to certain political committees. Prevents contributors to bond campaigns from profiting from bond-funded projects.

Finance

SB 1 – Huffman – Senate Budget Bill

- General Appropriations Bill.
- Includes \$1 billion for vouchers (double what was considered last session)
- Includes \$4.85 billion in new funding for public education, specifying increase in \$4,000 teacher pay (\$10,000 for rural teachers) and TIA changes
- Includes \$400 million for school safety
- Additional \$3.5 billion in additional property tax relief
 - \$3 billion by increasing homestead exemption from \$100,000 to \$140,000 and \$150,000 for seniors
 - \$500 million property tax reductions for businesses
- Scheduled for public hearing.

SB 26 – Creighton – Teacher Pay and Retention

- Relating to public education, including the rights and compensation of public school educators and funding for teacher compensation under the Foundation School Program.
- Established new allotment for teacher salaries (teachers only):
 - 3-4yrs experience \$2,500
 - 5+yrs experience \$5,500
- Expands Teacher Incentive Allotment.
- Creates Local Optional Teacher Designation Grant Program (Merit Pay program administered by TEA).
- Teachers' children considered qualified for Pre-K.
- TEA administered liability insurance.
- Total cost estimate of \$4.8 billion.
- Passed the Senate 2.26.25; passed the Education K-16 Committee 2.24.25.

SB 149 – Menendez – Special Education Funding

- Relating to special education funding under the Foundation School Program.
- Adjusts funding formulas for Special Education Services to an intensity of services model.
- Gives Commissioner of Education authority to define those models.
- Allows Commissioner of Education to develop a method for determining funding based on average enrollment, not including time students are in CTE and special Education.
- Students in Special Education would receive either the basic allotment or the total of the basic allotment and the intensity of services allotment.
- Intensity of Service allotments weighted from .6-2.0.
- Increases extended year funding to \$20 million.
- Commissioner must provide LBB proposed weights and consult with superintendents and CFOs.

- Creates special education service group allotment until September 1, 2028 and Commissioner must develop four service groups to determine funding. Groups based on six weeks periods of students receiving special education services and are weighted from \$100 - \$1,000, and 55% of funding must be spent on special education services.
- Includes hold harmless provision.
- Referred to Education K-16 committee.

HB 1 – Bonnen - House Budget Bill

- General Appropriations Bill.
- Includes \$1 billion for vouchers (double what was considered last session)
- Includes \$4.85 billion in new funding for public education, no specifications
- Includes \$400 million for school safety
- Additional \$3.5 billion in additional property tax relief through compression
- Includes \$450 million for TRS to minimize premium increases

HB 2 – Buckley – Public School Funding

- Relating to public education and public school finance.
- Increases basic allotment from \$6,160 to \$6,380 (\$220).
- Requires 40% (rather than 30%) of the increase to be spent on compensation, and 75% of that 40% specifically on teachers, counselors, librarians and nurses but does not require for staff that have a reduction on their performance evaluation.
- Creates a special education service group allotment. Moves funding for special education to intensity of services-based funding in the 2025-26 school year. The commissioner must ensure the weights provide \$165 million more funding than in 2024-25.
- Provides an allotment of \$1,000 for special education evaluations and increases outcomes bonuses related to CCMR for special education
- Sets the special education transportation per mile allotment to the general transportation per mile allotment plus \$0.13.
- Increases comp ed allotment from 0.275 to 0.28 (roughly \$32).
- Provides increase in Teacher Incentive Allotment and adds a new designation.
- Creates an allotment for teacher candidates that complete the literacy achievement academy (\$500) or mathematics academy (\$1,000).
- Consolidates hold harmless provisions for property tax relief and makes changes to recapture districts impacted by compression.
- Creates a local Optional Teacher Designation System Grant Program.
- Creates a Fine Arts Allotment in grades 6-12 of \$51 per student or \$102 per educationally disadvantaged student.
- Prohibits uncertified teachers from teaching courses in core curriculum beginning 2026-27. Districts could not use District of Innovation exemption and must provide notice to parents when student is not taught by a certified teacher.
- Creates a grant to reimburse school districts for TRS costs associated with hiring retired teachers.

- Provides a hold harmless for declining enrollment of more than 5% in ADA from prior year. Districts will receive 95% of funding from previous year. Caps program at \$50 million per year.
- Increases small and mid-sized allotments.
- Creates grants related to serving students with autism, dyslexia training for teachers, recruiting special education staff, supplemental education services for students, and more.
- Provides funding for districts that lose funding due to state value assignments in the Comptroller's Property Value Study.
- Requires annual board of trustees meetings on the performance of students receiving special education.
- If passed, takes effect on September 1, 2025, with specific provisions being implemented in the 2026-2027 school year.

HB 337 – Plesa – Dedicates Foundation School Surplus to Increase Basic Allotment

- Relating to the dedication of surplus money in the foundation school fund to increase the basic allotment under the Foundation School Program.
- Limits use of surplus funds in foundation school fund to only increase the basic allotment.

HB 351 – Goodwin – Annual Adjustment to Basic Allotment for Inflation

- Relating to an annual adjustment to the basic allotment under the Foundation School Program to reflect inflation.
- Increases basic allotment to \$7,160.
- Beginning 2026-2027 school year, increases basic allotment annually by the lesser of 3% of the allotment for the preceding year or the inflation rate determined by the Consumer Price Index for the preceding year.

HB 595 – Howard – Basic Allotment and Guaranteed Yield, and Adjustments for Inflation

- Relating to the basic allotment and guaranteed yield under the Foundation School Program, including an adjustment in those amounts to reflect inflation
- Increases the basic allotment to \$7,075 and provides an inflationary increase annually based on the Consumer Price Index.

HB 725 – Shaheen – Use of Bilingual Allotment for Salaries

- Relating to the permissible uses of the bilingual education allotment provided under the Foundation School Program.
- Alters the language to allow the allotment to be used for “salaries” not just “salary supplements” as previously written.
- Applies beginning 2025-2026.

HB 1192 – Hinojosa – Special Education Services Evaluation Equal to Cost

- Relating to an allotment under the Foundation School Program to provide full and individual initial evaluations for special education services.

- Relates to an allotment (under the Foundation School Program) equal to the costs incurred by the district to provide full and individual evaluations and to assess student eligibility for special education services.

HB 2786 – Turner – Appraisal Districts

- Relating to the frequency with which an appraisal district is required to reappraise property for ad valorem tax purposes.
- Requires an appraisal district to develop a plan for the “annual” reappraisal of all property, replacing the term “periodic”.
- If approved, the bill would overturn the Tarrant Appraisal District’s plans to reappraise property in the county every other year.

Operations Related

SB 25 – Kolkhorst – Nutrition Guidelines & PE/Recess

- Relating to health and nutrition standards to promote healthy living.
- Creates a Texas Nutrition Advisory Committee to develop nutritional guidelines for Texans to promote healthy living.
- Prohibits schools from restricting student participation in recess or physical education activity as a penalty for the student’s academic performance or behavior.
- Left pending in committee 2.26.25.

SB 314 – Hughes – Food Additives

- Relating to prohibiting certain food additives from being included in free or reduced-price meals provided by school districts.
- Prohibits certain food additives from being included in free or reduced-price school meals, such as brominated vegetable oil, red dye 3, and potassium bromate.
- Left pending in committee 2.26.25.

SB 83 – Hall – Carrying Concealed Handgun on Campus

- Relating to the carrying of concealed handguns by handgun license holders on the campus of a school district or open-enrollment charter school.
- Allows a license holder to carry a concealed handgun while on the campus of a school district or open-enrollment charter school.
- Board may not adopt rule prohibiting a district or school employee from carrying a concealed handgun on campus while on duty if the employee is licensed to carry.
- Referred to State Affairs.

SB 239 – Middleton – Advocacy Restriction - Use of Public Funds for Lobbying

- Relating to the use by a political subdivision of public funds for lobbying and certain other activities.

- Prevents a political subdivision from spending public funds for lobbying, including from paying a nonprofit state association that hires or contracts with someone required to register as a lobbyist.
- If passed, effective September 1, 2025.
- Referred to State Affairs.

Pre-Kindergarten

[**SB 42**](#) – Zaffirini – Prekindergarten

- Relating to providing free full-day prekindergarten for certain children.
- Expands requirement for full-day prekindergarten even if less than 15 children are identified.
- Referred to Education K-16 committee.

Property Tax

[**HB 698**](#) – Harrison – Elimination of Property Taxes

- Relating to the abolition of ad valorem taxes and the creation of a joint interim committee on the abolition of those taxes. Eliminates property taxes within five years. Establishes an interim committee of House and Senate members to determine how to replace lost property tax revenue.

School Safety

[**SB 260**](#) – Huffman – School Safety Allotment

- Relating to the school safety allotment under the Foundation School Program.
- Doubles the school safety allotment.
- Increases annual allotment from \$10 per ADA to \$20 per ADA.
- Increases per campus allotment from \$15,000 to \$30,000.
- Referred to Finance.
- If passes, effective September 1, 2025.

[**HB 1833**](#) – VanDeaver – Retired Officer Serving as School Armed Security

- Relating to an honorably retired peace officer serving as an armed security officer at a public school.

Student Learning

[**SB 569**](#) – Bettencourt – Virtual Education

- Relating to the provision of virtual education in public schools and to certain waivers and modifications by the commissioner of education to the method of calculating daily average attendance.

- Repeals the State Virtual Schools Network and replaces it with the ability for schools to provide hybrid or virtual courses, including full-time programs of hybrid or virtual courses.
- Requires school districts to allow students enrolled in full-time or hybrid courses or programs to participate in extracurricular and UIL activities.
- Provides funding for students enrolled in hybrid or virtual courses or programs in the same manner as if the student was attending in-person courses full-time;
- Allows school districts to charge tuition and fees for out-of-state students or students who are not enrolled in the district to receive a virtual or hybrid course.
- Allows school districts to create virtual or hybrid campuses to provide full-time programs and sets requirements for such campuses.
- Sets specific requirements for student eligibility to enroll in virtual or hybrid programs.
- Requires school districts to consider the appropriateness and feasibility of enrolling a student in a virtual or hybrid program or campus as an alternative to expulsion except in the case of certain violent offenses.
- Referred to Education K-16.

HB 183 – Patterson – State Board of Education Power to Prohibit Certain Library Materials

- Relating to the regulation and the review of certain library materials included in public school libraries.

Student Services

HB 6 – Leach – Student Discipline

- Relating to discipline in public schools.
- Clarifies that the three-day limit on suspension applies only to out-of-school suspension.
- Expands the reasons for which students below third grade can be placed in out of school suspension to include conduct that threatens immediate health and safety of other students in the classroom or conduct that results in repeated or significant disruption to the classroom.
- Removes the requirement to place students in DAEP for marijuana.
- Removes the requirement to place students in DAEP for an e-cigarette.
- Requires DAEP placement if a student commits an offense:
 - of deadly conduct (defined in Section 22.05)
 - of disorderly conduct involving a firearm
 - of unlawfully carrying unlawful weapons (defined section 46.02)
 - (removes the need for a court or jury to find that a student has engaged in the delinquent conduct above)
- Allows districts to place expelled students in virtual or in person DAEP or a juvenile justice alternative education program and provides ADA for these students.
- Allows a district to request a court order to remove a special education or 504 student from their educational setting if a threat assessment determines the student's presence is substantially likely to result in physical harm.

- Referred to Public Ed Committee 2.25.25.

SB 568 – Bettencourt – Special Education and Funding

- Relating to special education in public schools, including funding for special education under the Foundation School Program.
- State education agency shall develop and revise a comprehensive system to ensuring local compliance related to special education law.
- The agency shall adopt performance indicators for measuring quality of learning and achievement for students receiving special education services. Must include CCMR readiness outcomes.
- Includes annual meeting requirement for school board to discuss the performance of students receiving special education services.
- Creates a grant program for students with autism.
- More bill analysis needed.
- Referred to Education K-16.

Vouchers

SB 2 – Creighton – Universal ESA/Voucher Program, Texas Education Freedom Act

- Relating to the establishment of an education savings account program.
- Creates universal ESA program within the comptroller's office to pay for education-related expenses. Approved parents to submit request for payment to an educational service provider through comptroller controlled educational assistance organizations (permits comptroller to contract with up to 5).
- Provides universal access to all students. Creates lottery system if there are more applicants than spots – up to 80% of the available positions filled by lottery of students who previously attended a public school and are either from low-income households (defined as 500% of poverty threshold as compared to 130% threshold for free lunch) or have a disability; remaining ESAs provided to any eligible applicant.
- Provides \$10,000 per year for each eligible student, \$11,500 for students with disabilities, \$2,000 for homeschool students, and \$2,500 for homeschool students with disabilities.
- Parent/guardian must agree to have a nationally norm-referenced assessment each year; results would be shared with the state and be part of required annual report.
- Public schools would be allowed to provide certain services to voucher students and could charge a fee (generally less than 2 hours of instruction per day).
- Fiscal analysis assumes the cost of the ESA program is \$1 billion in 2027, but it escalates to \$3.2 billion in 2028, \$3.8 billion in 2029, and \$4.6 billion in 2030.
- If passed, program begins with 2026-27 school year.
- Passed Senate 2.5.25; passed education K-16 committee 1.28.25.

HB 3 – Buckley – Universal ESA/Voucher Program

- Relating to the establishment of an education savings account program.
- Any child eligible for public education enrollment is eligible to apply for a voucher.

- Voucher amount equal to 85% of estimated average of state/local funding and ADA.
- For children with disabilities, the amount is the sum of 85% of the estimated average amount and the funding the district would have received based on the child's IEP, with a maximum limit of \$30,000 per school year.
- Home-schooled students are capped at \$2,000 for the school year.
- If more applications are received than available, positions are filled by lottery in the following priority order:
 - Students with a disability whose annual family income is below 500% of federal poverty guidelines
 - Students whose annual family income is below 200% of poverty guidelines
 - Students whose annual family income is between 200% and 500% of poverty guidelines
 - Students whose annual family income is above 500% of poverty guidelines
- Siblings of participating children will be prioritized.
- Program funds can be used for tuition, textbooks, assessments, therapies, and other approved educational costs.
- Program is administered by the Comptroller with no more than 5 educational assistance (EA) organizations to support the administration.
- Parents apply to EA to enroll and must agree to spend on allowed expenses, refrain from selling items purchased with program money, provide 30-day notice if child enrolls in public school, graduates, or is no longer eligible.
- Providers must be deemed eligible by the Comptroller (previously approved to provide supplemental SPED services, accredited private school, annually administers a nationally norm-referenced assessment) and can include a public school (if services don't count towards ADA).
- Comptroller shall create application form and create and maintain a waiting list based on the priorities.
- Effective immediately if passed by two-thirds; otherwise effective September 1, 2025 if passed.

HB 212 – Cain – Guardian Reimbursement for Private School

- Relating to the establishment of a parental empowerment program administered by the comptroller of public accounts.