

## CHAPTER 512

H.B. No. 2369

## AN ACT

relating to overallocation of foundation school funds.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter G, Chapter 16, Education Code, is amended by adding Section 16.259 to read as follows:

*Sec. 16.259. RECOVERY OF OVERALLOCATED FUNDS. (a) If a school district has received an overallocation of state funds, the Central Education Agency shall, by withholding from subsequent allocations of state funds or by requesting and obtaining a refund, recover from the district an amount equal to the overallocation.*

*(b) If a district fails to comply with a request for a refund under Subsection (a) of this section, the Central Education Agency shall certify to the comptroller that the amount constitutes a debt for purposes of Section 403.055, Government Code. The agency shall provide to the comptroller the amount of the overallocation and any other information required by the comptroller. The comptroller may certify the amount of the debt to the attorney general for collection.*

*(c) Any amounts recovered under this section shall be deposited in the foundation school fund.*

SECTION 2. Section 16.255(b), Education Code, is repealed.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 23, 1993: Yeas 131, Nays 0, 2 present, not voting; passed by the Senate on May 24, 1993: Yeas 31, Nays 0.

Approved June 3, 1993.

Effective June 3, 1993.