

**SUBJECT:** Proposing a constitutional amendment for the state school safety fund

**COMMITTEE:** Educational Opportunity & Enrichment, Select — favorable, without amendment

**VOTE:** 14 ayes — Buckley, Gervin-Hawkins, Ashby, K. Bell, Dutton, Frank, Cody Harris, Hefner, Hinojosa, K. King, Metcalf, Shaheen, Talarico, VanDeaver

0 nays

1 absent — Longoria

**WITNESSES:** For — (*Registered, but did not testify*: Chance Ramos, Arc One Protective Services; John Litzler, Baptist General Convention of Texas' Christian Life Commission; Julia Grizzard, Bexar County Education Coalition; Ben Russian, EZY PA Holdings; Max Rombado, Raise Your Hand Texas; Colby Nichols, Texas Association of Community Schools and Texas Association of School Administrators; Ruben Longoria, Texas Association of School Boards; Amanda Brownson, Texas Association of School Business Officials; Jennifer Allmon, Texas Catholic Conference of Bishops; Jennifer Easley, Texas PTA; Dee Carney, Texas School Alliance; Christy Rome, Texas School Coalition; Robert L. Green)

Against — None

On — Tom Currah, Comptroller of Public Accounts (*Registered, but did not testify*: Brad Reynolds, Comptroller; Paige Duggins-Clay, Intercultural Development Research Association; Eric Marin, Von Byer, Mike Meyer, Texas Education Agency)

**DIGEST:** HJR 1 would create the school safety fund as a special fund in the state treasury outside the general revenue fund to be used only to provide ongoing financial support for projects that ensured the safety of public schools. Separate accounts could be established in the state school safety fund as necessary or convenient to administer the fund or the supported

projects. The Legislature could authorize the use of money from the fund only by an independent school district or charter school.

The fund would consist of:

- money appropriated to the fund;
- money transferred or deposited to the credit of the fund;
- revenue from any source that the Legislature dedicated for deposit to the credit of the fund;
- investment earnings and interest earned on amounts credited to the fund;
- money appropriated by the Legislature to fund public schools that was determined by the education commissioner to exceed the amount required for the support and maintenance of public schools; and
- money transferred to the fund from another fund or account to which money from the fund was transferred.

The Legislature would be required to provide for the manner in which money in the state school safety fund could be used, subject to certain limitations established by the bill. The Legislature also could provide for costs of investment and administration of the state school safety fund to be paid from the fund.

The bill would revise and add the state school safety fund to certain constitutional provisions on the transfer of funds to the economic stabilization fund and the state highway fund. Of the sum of the amounts received from oil and gas production taxes for transfer to the economic stabilization fund and the state highway fund, the comptroller would be required to allocate:

- to the economic stabilization fund the difference, if greater than zero, between one-half of the sum of those amounts and \$1.1 billion;
- to the state school safety fund the lesser of \$1.1 billion or one-half of the sum of those amounts; and

- the remainder to the state highway fund.

The bill would add a temporary provision to the Constitution requiring the comptroller beginning in fiscal 2025 to reduce the amount allocated for transfer to the economic stabilization fund and increase the amount allocated for transfer to the state school safety fund by the lesser of \$1.1 billion or the amount transferred to the economic stabilization fund for that fiscal year. This provision would expire September 1, 2026.

A proposed constitutional amendment to create the state school safety fund would be submitted to the voters at an election to be held May 4, 2024. The ballot proposal would read: "The constitutional amendment creating the state school safety fund to provide ongoing financial support for projects that ensure the safety of public schools in this state and providing for the transfer of certain general revenues to that fund, the economic stabilization fund, and the state highway fund."

**SUPPORTERS  
SAY:**

HJR 1 would be an important step in ensuring students' safety across the state by permanently funding future school safety projects in Texas public schools. Based on the comptroller's projections, \$1.1 billion would go to the state school safety fund each year. These funds could help schools meet safety requirements set by the Legislature during previous sessions and address future needs. Eventually, the fund would become self-sufficient as the interest alone would be enough to make the fund sustainable. The bill's provisions would not impact transfers from the general revenue fund to the state highway fund.

**CRITICS  
SAY:**

While school safety is critical for Texas students, a more effective way to protect students would be to regulate the use and sale of guns. The Legislature should limit the sale of certain weapons, improve background checks, and require training and licensing.

**OTHER  
CRITICS  
SAY:**

HJR 1 could be improved by guaranteeing that the state school safety fund received at least \$1.1 billion a year to more fully fund the state's school safety needs.

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NOTES: The enabling legislation for HJR 1 is HB 2, which is also on the calendar for second reading consideration today.

According to the Legislative Budget Board, HJR 1 would have an estimated negative impact on General Revenue Related Funds of about \$582 million through fiscal 2025. The cost to the state for publication of the resolution would be \$204,406.