

By: _____ .B. No. _____

Substitute the following for ____B. No. ____:

By: _____ C.S.____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Section 7.056(e), Education Code, is amended to read as follows:

(e) Except as provided by Subsection (f), a school campus or district may not receive an exemption or waiver under this section from:

(1) a prohibition on conduct that constitutes a criminal offense;

(2) a requirement imposed by federal law or rule, including a requirement for special education or bilingual education programs; or

(3) a requirement, restriction, or prohibition relating to:

(A) essential knowledge or skills under Section 28.002 or high school graduation requirements under Section 28.025;

(B) public school accountability as provided by Subchapters B, C, D, and J, Chapter 39, and Chapter 39A;

(C) extracurricular activities under Section 33.081 [~~or participation in a University Interscholastic League area, regional, or state competition under Section 33.0812~~];

1 (D) health and safety under Chapter 38;
2 (E) purchasing under Subchapter B, Chapter 44;
3 (F) elementary school class size limits, except
4 as provided by Section 25.112;
5 (G) removal of a disruptive student from the
6 classroom under Subchapter A, Chapter 37;
7 (H) at-risk programs under Subchapter C, Chapter
8 29;
9 (I) prekindergarten programs under Subchapter E,
10 Chapter 29;
11 (J) educator rights and benefits under
12 Subchapters A, C, D, E, F, G, and I, Chapter 21, or under Subchapter
13 A, Chapter 22;
14 (K) special education programs under Subchapter
15 A, Chapter 29;
16 (L) bilingual education programs under
17 Subchapter B, Chapter 29; or
18 (M) the requirements for the first day of
19 instruction under Section 25.0811.

20 SECTION 2. Section 7.057(d), Education Code, is amended to
21 read as follows:

22 (d) A person aggrieved by an action of the agency or
23 decision of the commissioner under this section may appeal to a
24 district court in Travis County. An appeal must be made by serving
25 the commissioner with citation issued and served in the manner
26 provided by law for civil suits. The petition must state the action
27 or decision from which the appeal is taken. At trial, the court

1 shall determine all issues of law and fact, except as provided by
2 Section 33.081(g).

3 SECTION 3. Section 11.182(b), Education Code, is amended to
4 read as follows:

5 (b) A board of trustees may determine whether to use the
6 evaluation tool, except as required by Section 39A.002 [~~39.102(a)~~].

7 SECTION 4. The heading to Section 39.001, Education Code,
8 is amended to read as follows:

9 Sec. 39.001. RULES; ACTION FOR DECLARATORY JUDGMENT.

10 SECTION 5. Section 39.001, Education Code, is amended by
11 adding Subsection (c) to read as follows:

12 (c) A school district or open-enrollment charter school
13 must bring an action for declaratory judgment under Section
14 2001.038, Government Code, challenging the validity or
15 applicability of a rule adopted under this chapter or Chapter 39A
16 not later than six months after the date the rule is adopted.

17 SECTION 6. Section 39.022, Education Code, is amended to
18 read as follows:

19 Sec. 39.022. INSTRUCTIONALLY SUPPORTIVE ASSESSMENT SYSTEM
20 [PROGRAM]. (a) The agency [~~State Board of Education by rule~~] shall
21 create and implement a balanced and streamlined statewide
22 assessment system for assessment instruments administered under
23 this subchapter [~~program that is knowledge- and skills-based~~] to
24 ensure school accountability for student achievement that:

25 (1) is aligned with the essential knowledge and skills
26 adopted by the State Board of Education under Section 28.002;

27 (2) achieves the goals provided under Section 4.002;

1 and

2 (3) prioritizes student learning.

3 (b) The agency ~~[After adopting rules under this section, the~~
4 ~~State Board of Education]~~ shall consider the importance of
5 maintaining stability in the statewide assessment system ~~[program]~~
6 when modifying the system ~~[adopting any subsequent modification of~~
7 ~~the rules]~~.

8 (c) ~~[(b)]~~ It is the policy of this state that the statewide
9 assessment system ~~[program]~~ be designed to:

10 (1) provide assessment instruments that are as short
11 as practicable; and

12 (2) minimize the disruption to the educational
13 program.

14 (d) The assessment system implemented under this section
15 must include:

16 (1) assessment instruments administered under
17 Sections 39.023(a), (c), and (1);

18 (2) beginning-of-year and middle-of-year assessment
19 instruments described by Section 39.023(o-1); and

20 (3) technical assistance and guidance to school
21 districts and open-enrollment charter schools for implementing the
22 assessment system, including assistance and guidance on:

23 (A) implementing a comprehensive assessment
24 strategy that:

25 (i) improves student performance and
26 promotes mastery of the essential knowledge and skills; and

27 (ii) informs educators regarding

1 assessment requirements; and

2 (B) reducing the assessment burden on students
3 and school personnel.

4 SECTION 7. Subchapter B, Chapter 39, Education Code, is
5 amended by adding Section 39.0225 to read as follows:

6 Sec. 39.0225. TRANSITION OF ASSESSMENT SYSTEM. (a) The
7 agency shall transition the system for assessment instruments
8 administered under this subchapter to incorporate improvements
9 identified in reports submitted under Section 39.0236(d).

10 (b) For purposes of making the transition under Subsection
11 (a), the agency shall adopt or develop the following assessment
12 instruments to be administered beginning no later than the
13 2027-2028 school year:

14 (1) an end-of-year assessment instrument for each
15 subject or course for each grade level subject to assessment under
16 Section 39.023; and

17 (2) optional beginning-of-year and middle-of-year
18 progress monitoring assessment instruments for each subject and
19 grade level subject to assessment under Sections 39.023(a)(1)
20 through (4).

21 (c) To the extent practicable, the end-of-year assessment
22 instruments described by Subsection (b)(1) shall:

23 (1) be shorter than the assessment instruments
24 administered during the 2024-2025 school year under Sections
25 39.023(a), (c), and (1);

26 (2) be scheduled as close to the end of the school year
27 as practicable;

1 (3) allow for results to be provided as quickly as
2 practicable; and

3 (4) for a reading language arts assessment instrument,
4 include open-ended questions that are:

5 (A) administered separately; and

6 (B) scored using a process that:

7 (i) involves classroom teachers; and

8 (ii) allows for a school district or
9 open-enrollment charter school to submit student responses for
10 rescoring.

11 (d) To the extent practicable, the progress monitoring
12 assessment instruments described by Subsection (b)(2) shall:

13 (1) provide progress monitoring information related
14 to essential knowledge and skills for the assessed subject to
15 support instruction during the school year;

16 (2) be designed to be predictive of, without
17 intervention, a student's performance on the applicable
18 end-of-year assessment instrument; and

19 (3) serve as an optional and free benchmark assessment
20 tool for school districts and open-enrollment charter schools.

21 (e) The agency shall provide technical assistance and
22 guidance to school districts and open-enrollment charter schools as
23 described by Section 39.022(d)(3) that, to the extent practicable,
24 includes strategies for districts and schools to reduce assessment
25 burdens not later than the beginning of the 2027-2028 school year.

26 (f) Students shall continue to be assessed under the
27 preceding assessment program for assessment instruments

1 administered under this subchapter until the applicable assessment
2 instrument for a subject or course and grade level is replaced by an
3 assessment instrument adopted or developed under this section.

4 (g) The agency shall conduct a performance comparison
5 analysis between the assessment system adopted or developed under
6 this section and the preceding assessment program for assessment
7 instruments administered under this subchapter to establish
8 roughly comparable standards for the issuance of performance
9 ratings under Section 39.054 for the school year the system adopted
10 or developed under this section is implemented.

11 (h) This section expires September 1, 2028.

12 SECTION 8. Section 39.023, Education Code, is amended by
13 amending Subsections (a-11), (c), (c-3), (c-8), (e), (g), (i), (l),
14 and (o) and adding Subsection (o-1) to read as follows:

15 (a-11) Before an assessment instrument adopted or developed
16 under Subsection (a) may be administered under that subsection, the
17 assessment instrument must, on the basis of empirical evidence, be
18 determined to be valid and reliable by the advisory committees
19 established under Section 39.02302 or an entity that is, as
20 determined by the commissioner, independent of the agency and of
21 any other entity that developed the assessment instrument.

22 (c) The agency shall also adopt end-of-course assessment
23 instruments for secondary-level courses in Algebra I, biology,
24 English I, English II, and United States history. The Algebra I
25 end-of-course assessment instrument must be administered with the
26 aid of technology, but may include one or more parts that prohibit
27 the use of technology. The English I and English II end-of-course

1 assessment instruments must each assess essential knowledge and
2 skills in both reading and writing and must provide a single score.
3 A school district shall comply with agency [~~State Board of~~
4 ~~Education~~] rules regarding administration of the assessment
5 instruments listed in this subsection. If a student is in a special
6 education program under Subchapter A, Chapter 29, the student's
7 admission, review, and dismissal committee shall determine whether
8 any allowable modification is necessary in administering to the
9 student an assessment instrument required under this subsection.
10 The agency [~~State Board of Education~~] shall administer the
11 assessment instruments. An end-of-course assessment instrument
12 may be administered in multiple parts over more than one day. [~~The~~
13 ~~State Board of Education shall adopt a schedule for the~~
14 ~~administration of end-of-course assessment instruments that~~
15 ~~complies with the requirements of Subsection (c-3).~~]

16 (c-3) The agency shall adopt a schedule for the
17 administration of assessment instruments under this section for
18 each school year and, to the extent practicable, provide the
19 schedule to each school district and open-enrollment charter school
20 two years before the school year to which the schedule applies. To
21 the extent practicable and for the purpose of mitigating local
22 scheduling conflicts, including University Interscholastic League
23 athletic competitions, the schedule adopted under this section must
24 establish testing windows for the administration of each assessment
25 instrument and allow a district or school to administer an
26 assessment instrument on any date selected by the district or
27 school that falls within the testing window for the instrument

1 ~~[Except as provided by Subsection (c-7) or (c-10) or as otherwise~~
2 ~~provided by this subsection, in adopting a schedule for the~~
3 ~~administration of assessment instruments under this section, the~~
4 ~~State Board of Education shall ensure that assessment instruments~~
5 ~~administered under Subsection (a) or (c) are not administered on~~
6 ~~the first instructional day of a week. On request by a school~~
7 ~~district or open-enrollment charter school, the commissioner may~~
8 ~~allow the district or school to administer an assessment instrument~~
9 ~~required under Subsection (a) or (c) on the first instructional day~~
10 ~~of a week if administering the assessment instrument on another~~
11 ~~instructional day would result in a significant administrative~~
12 ~~burden due to specific local conditions].~~

13 (c-8) At least 25 ~~[Beginning with the 2022-2023 school year,~~
14 ~~not more than 75]~~ percent of the available points on an assessment
15 instrument developed under Subsection (a) or (c) must ~~[may]~~ be
16 attributable to questions that are not presented in a multiple
17 choice format.

18 (e) Under rules adopted by the agency ~~[State Board of~~
19 ~~Education]~~, every third year, the agency shall release the
20 questions and answer keys to each assessment instrument
21 administered under Subsection (a), (b), (c), (d), or (l), excluding
22 any assessment instrument administered to a student for the purpose
23 of retaking the assessment instrument, after the last time the
24 instrument is administered for that school year. To ensure a valid
25 bank of questions for use each year, the agency is not required to
26 release a question that is being field-tested and was not used to
27 compute the student's score on the instrument. The agency shall

1 also release[~~, under board rule,~~] each question that is no longer
2 being field-tested and that was not used to compute a student's
3 score. During the 2014-2015 and 2015-2016 school years, the agency
4 shall release the questions and answer keys to assessment
5 instruments as described by this subsection each year.

6 (g) The agency [~~State Board of Education~~] may adopt one
7 appropriate, nationally recognized, norm-referenced assessment
8 instrument in reading and mathematics to be administered to a
9 selected sample of students in the spring. If adopted, a
10 norm-referenced assessment instrument must be a secured test. The
11 state may pay the costs of purchasing and scoring the adopted
12 assessment instrument and of distributing the results of the
13 adopted instrument to the school districts. A district that
14 administers the norm-referenced test adopted under this subsection
15 shall report the results to the agency in a manner prescribed by the
16 commissioner.

17 (i) The provisions of this section, except Subsection (d),
18 are subject to modification by rules adopted under Section 39.001
19 [~~39.022~~]. Each assessment instrument adopted under those rules and
20 each assessment instrument required under Subsection (d) must be
21 reliable and valid and must meet any applicable federal
22 requirements for measurement of student progress.

23 (l) The agency [~~State Board of Education~~] shall adopt rules
24 for the administration of the assessment instruments adopted under
25 Subsection (a) in Spanish to emergent bilingual students in grades
26 three through five, as defined by Section 29.052, whose primary
27 language is Spanish, and who are not otherwise exempt from the

1 administration of an assessment instrument under Section
2 39.027(a)(1) or (2). Each emergent bilingual student whose primary
3 language is Spanish, other than a student to whom Subsection (b)
4 applies, may be assessed using assessment instruments in Spanish
5 under this subsection for up to three years or assessment
6 instruments in English under Subsection (a). The language
7 proficiency assessment committee established under Section 29.063
8 shall determine which students are administered assessment
9 instruments in Spanish under this subsection.

10 (o) The agency shall adopt or develop optional interim
11 assessment instruments for each ~~[subject or]~~ course ~~[for each grade~~
12 ~~level]~~ subject to an end-of-course assessment under this section.
13 A school district or open-enrollment charter school may ~~[not be~~
14 ~~required to]~~ administer to students enrolled at the district or
15 school interim assessment instruments adopted or developed under
16 this subsection. An interim assessment instrument:

17 (1) must be:

18 (A) when possible, predictive of the
19 end-of-course assessment instrument for the applicable ~~[subject~~
20 ~~or]~~ course ~~[for that grade level]~~ required under this section; and

21 (B) administered electronically; and

22 (2) may not be used for accountability purposes.

23 (o-1) The agency shall adopt or develop optional
24 beginning-of-year and middle-of-year progress monitoring
25 assessment instruments for each subject and grade level subject to
26 assessment under Sections 39.023(a)(1) through (4). A school
27 district or open-enrollment charter school may administer to

1 students enrolled at the district or school progress monitoring
2 assessment instruments adopted or developed under this subsection.
3 A progress monitoring assessment instrument must:

4 (1) provide to the district or school administering
5 the assessment instrument information regarding student
6 proficiency in the essential knowledge and skills for the assessed
7 subject to support instruction during the school year; and

8 (2) be designed to be predictive of, without
9 intervention, a student's performance on the applicable
10 end-of-year assessment instrument.

11 SECTION 9. Section 39.0238(b), Education Code, is amended
12 to read as follows:

13 (b) The board of trustees of a school district or the
14 governing body of an open-enrollment charter school may consider
15 the dates of religious holy days or periods of observance likely to
16 be observed by the students enrolled in the district or school
17 during the period set by the agency [~~State Board of Education~~] for
18 the administration of assessment instruments required under
19 Section 39.023 in establishing:

20 (1) the district's or school's calendar for that
21 school year; and

22 (2) the instructional days within that period on which
23 district or school students are administered the required
24 assessment instruments, provided that the board of trustees or
25 governing body may not exclude more than two instructional days
26 from that period based solely on the occurrence of a single
27 religious holy day or period of observance.

1 SECTION 10. Section 39.026, Education Code, is amended to
2 read as follows:

3 Sec. 39.026. LOCAL OPTION. In addition to the assessment
4 instruments adopted and administered by the agency [~~and~~
5 ~~administered by the State Board of Education~~], a school district
6 may, subject to Section 39.0263, adopt and administer
7 criterion-referenced or norm-referenced assessment instruments, or
8 both, at any grade level. A norm-referenced assessment instrument
9 adopted under this section must be economical, nationally
10 recognized, and state-approved.

11 SECTION 11. The heading to Section 39.0263, Education Code,
12 is amended to read as follows:

13 Sec. 39.0263. ADMINISTRATION OF DISTRICT-REQUIRED OR
14 CAMPUS-REQUIRED BENCHMARK ASSESSMENT INSTRUMENTS [~~TO PREPARE~~
15 ~~STUDENTS FOR STATE-ADMINISTERED ASSESSMENT INSTRUMENTS~~].

16 SECTION 12. Section 39.0263, Education Code, is amended by
17 amending Subsections (a), (b), and (c) and adding Subsection (e) to
18 read as follows:

19 (a) In this section, "benchmark assessment instrument"
20 means a district-required or campus-required assessment instrument
21 that is administered to all or most students for a subject or course
22 in a particular grade level and that is not curriculum-embedded,
23 including an assessment instrument, such as a practice test or a
24 nationally norm-referenced assessment instrument, designed to
25 prepare students for a corresponding state-administered assessment
26 instrument.

27 (b) Except as provided by Subsection (c), a school district

1 or campus may not administer to any student more than two benchmark
2 assessment instruments during a school year before the
3 administration of an end-of-year [~~to prepare the student for a~~
4 ~~corresponding state-administered~~] assessment instrument.

5 (c) The prohibition prescribed by this section does not
6 apply to:

7 (1) the administration of a college preparation
8 assessment instrument, including the PSAT, the ACT-Plan, the SAT,
9 or the ACT, an advanced placement test, or an international
10 baccalaureate examination;

11 (2) [~~or~~] an independent classroom examination
12 designed or adopted and administered by a classroom teacher;

13 (3) a diagnostic assessment included in a screening or
14 testing for dyslexia or a related disorder; or

15 (4) an assessment instrument required under state law,
16 including under Chapter 28 or 29.

17 (e) If the agency determines that a school district or
18 campus is in violation of this section, in addition to any
19 enforcement actions or remedies available to the agency under other
20 law, the agency may require the district or campus to receive
21 technical assistance described by Section 39.022(d)(3).

22 SECTION 13. Section 39.027(b), Education Code, is amended
23 to read as follows:

24 (b) The agency [~~State Board of Education~~] shall adopt rules
25 under which a dyslexic student who is not exempt under Subsection
26 (a) may use procedures including oral examinations if appropriate
27 or may be allowed additional time or the materials or technology

1 necessary for the student to demonstrate the student's mastery of
2 the competencies the assessment instruments are designed to
3 measure.

4 SECTION 14. Section 39.028, Education Code, is amended to
5 read as follows:

6 Sec. 39.028. COMPARISON OF STATE RESULTS TO NATIONAL
7 RESULTS. The state assessment system [~~program~~] shall obtain
8 nationally comparative results for the subject areas and grade
9 levels for which criterion-referenced assessment instruments are
10 adopted under Section 39.023.

11 SECTION 15. Section 39.029, Education Code, is amended to
12 read as follows:

13 Sec. 39.029. MIGRATORY CHILDREN. The agency [~~State Board~~
14 ~~of Education~~] by rule may provide alternate dates for the
15 administration of the assessment instruments to a student who is a
16 migratory child as defined by 20 U.S.C. Section 6399. The alternate
17 dates may be chosen following a consideration of migrant work
18 patterns, and the dates selected may afford maximum opportunity for
19 the students to be present when the assessment instruments are
20 administered.

21 SECTION 16. Section 39.030(a), Education Code, is amended
22 to read as follows:

23 (a) In adopting academic skills assessment instruments
24 under this subchapter, the agency [~~State Board of Education~~] or a
25 school district shall ensure the security of the instruments and
26 tests in their preparation, administration, and grading. Meetings
27 or portions of meetings held by the agency [~~State Board of~~

1 ~~Education]~~ or a school district at which individual assessment
2 instruments or assessment instrument items are discussed or adopted
3 are not open to the public under Chapter 551, Government Code, and
4 the assessment instruments or assessment instrument items are
5 confidential.

6 SECTION 17. Sections 39.032(c-1) and (e), Education Code,
7 are amended to read as follows:

8 (c-1) The standardization norms computed under Subsection
9 (c) shall be:

10 (1) based on a national probability sample that meets
11 accepted standards for educational and psychological testing; and

12 (2) updated at least every eight years using proven
13 psychometric procedures approved by the agency [~~State Board of~~
14 ~~Education]~~.

15 (e) The agency [~~State Board of Education]~~ shall adopt rules
16 for the implementation of this section and for the maintenance of
17 the security of the contents of all assessment instruments.

18 SECTION 18. Section 39.054(b-1), Education Code, is
19 transferred to Section 39.052, Education Code, redesignated as
20 Section 39.052(b-1), Education Code, and amended to read as
21 follows:

22 (b-1) Consideration of the effectiveness of district
23 programs under Subsection (b)(2)(B) [~~Section 39.052(b)(2)(B)~~] or
24 (C):

25 (1) must:

26 (A) be based on data collected through the Public
27 Education Information Management System (PEIMS) for purposes of

1 accountability under this chapter; and

2 (B) include the results of assessments required
3 under Section 39.023; and

4 (2) may be based on the results of a special
5 investigation conducted under Section 39.003.

6 SECTION 19. Section 39.053, Education Code, is amended by
7 amending Subsections (a), (c), and (f) and adding Subsections
8 (c-4), (f-1), (f-2), (f-3), and (f-4) to read as follows:

9 (a) The commissioner shall adopt a set of indicators of the
10 quality of learning and achievement, including the indicators under
11 Subsection (c). The commissioner periodically shall review the
12 indicators for the consideration of appropriate revisions and may,
13 if the commissioner determines an indicator otherwise required
14 under this subchapter is not valid or reliable, exclude the
15 indicator from the set of indicators adopted under this section.

16 (c) School districts and campuses must be evaluated based on
17 three domains of indicators of achievement adopted under this
18 section that include:

19 (1) in the student achievement domain, indicators of
20 student achievement that must include:

21 (A) for evaluating the performance of districts
22 and campuses generally:

23 (i) an indicator that accounts for the
24 results of assessment instruments required under Sections
25 39.023(a), (c), and (l), as applicable for the district and campus,
26 including the results of assessment instruments required for
27 graduation retaken by a student, aggregated across grade levels by

1 subject area, including:

2 (a) for the performance standard
3 determined by the commissioner under Section 39.0241(a), the
4 percentage of students who performed satisfactorily on the
5 assessment instruments, aggregated across grade levels by subject
6 area; and

7 (b) for the college readiness
8 performance standard as determined under Section 39.0241, the
9 percentage of students who performed satisfactorily on the
10 assessment instruments, aggregated across grade levels by subject
11 area; and

12 (ii) an indicator that accounts for the
13 results of assessment instruments required under Section
14 39.023(b), as applicable for the district and campus, including the
15 percentage of students who performed satisfactorily on the
16 assessment instruments, as determined by the performance standard
17 adopted by the agency, aggregated across grade levels by subject
18 area; and

19 (B) for evaluating the performance of high school
20 campuses and districts that include high school campuses,
21 indicators that account for:

22 (i) students who satisfy the Texas Success
23 Initiative (TSI) college readiness benchmarks prescribed by the
24 Texas Higher Education Coordinating Board under Section 51.334 on
25 an assessment instrument in reading or mathematics designated by
26 the coordinating board under that section;

27 (ii) students who satisfy relevant

1 performance standards on advanced placement tests or similar
2 assessments;

3 (iii) students who earn dual course credits
4 in the dual credit courses;

5 (iv) students who demonstrate military
6 readiness:

7 (a) through verified enlistment
8 ~~[enlist]~~ in the armed forces of the United States or the Texas
9 National Guard; or

10 (b) by achieving a passing score set
11 by the commissioner on the Armed Services Vocational Aptitude
12 Battery Test and successfully completing a Junior Reserve Officer
13 Training Corps program;

14 (v) students who earn industry
15 certifications;

16 (vi) students admitted into postsecondary
17 industry certification programs that require as a prerequisite for
18 entrance successful performance at the secondary level;

19 (vii) students whose successful completion
20 of a course or courses under Section 28.014 indicates the student's
21 preparation to enroll and succeed, without remediation, in an
22 entry-level general education course for a baccalaureate degree or
23 associate degree;

24 (viii) students who successfully met
25 standards on a composite of indicators that through research
26 indicates the student's preparation to enroll and succeed, without
27 remediation, in an entry-level general education course for a

1 baccalaureate degree or associate degree;

2 (ix) high school graduation rates, computed
3 in accordance with standards and definitions adopted in compliance
4 with the Every Student Succeeds Act (20 U.S.C. Section 6301 et seq.)
5 subject to the exclusions provided by Subsections (g), (g-1),
6 (g-2), (g-3), and (g-4);

7 (x) students who successfully completed an
8 OnRamps dual enrollment course;

9 (xi) students who successfully completed a
10 practicum or internship approved by the State Board of Education;

11 (xii) students who are awarded an associate
12 degree; and

13 (xiii) students who successfully completed
14 a program of study in career and technical education;

15 (2) in the school progress domain, indicators for
16 effectiveness in promoting student learning, which must include:

17 (A) for assessment instruments, including
18 assessment instruments under Subdivisions (1)(A)(i) and (ii), the
19 percentage of students who met the standard for improvement, as
20 determined by the commissioner; and

21 (B) for evaluating relative performance, the
22 performance of districts and campuses compared to similar districts
23 or campuses; and

24 (3) in the closing the gaps domain, the use of
25 disaggregated data to demonstrate the differentials among students
26 from different racial and ethnic groups, socioeconomic
27 backgrounds, and other factors, including:

1 (A) students formerly receiving special
2 education services;

3 (B) students continuously enrolled; and

4 (C) students who are mobile.

5 (c-4) The agency shall study the college, career, and
6 military readiness indicators adopted under Subsection (c) to
7 determine the correlation of each indicator with postsecondary
8 success, including the correlation of industry certifications with
9 wages and available jobs. The value assigned to each indicator must
10 be:

11 (1) based on the strength of the indicator's
12 correlation with successful outcomes; and

13 (2) updated in accordance with Subsection (f-1).

14 (f) Annually, the commissioner shall define and may modify
15 the state standards [~~standard for the current school year~~] for each
16 [~~achievement~~] indicator adopted under this subchapter in
17 [~~section. In~~] consultation with educators, parents, and business
18 and industry representatives, as necessary. The [~~, the~~]
19 commissioner shall increase the rigor by which the commissioner
20 determines the overall performance ratings under Section 39.054(a)
21 [~~establish and modify standards~~] to continuously improve student
22 performance to, not later than the 15th year after the date the
23 commissioner modifies the performance standards under Subsection
24 (f-1), achieve the goals of:

25 (1) eliminating achievement gaps based on race,
26 ethnicity, and socioeconomic status; and

27 (2) ensuring [~~to ensure~~] this state ranks nationally

1 ~~[is a national leader]~~ in the top five states in preparing students
2 for postsecondary success and on the National Assessment of
3 Educational Progress or its successor assessment.

4 (f-1) Beginning with the indicators adopted for the
5 2027-2028 school year and as required to meet the goals under
6 Subsection (f), the commissioner shall increase the scores needed
7 to achieve performance standards on indicators adopted under this
8 subchapter only every fifth school year unless an indicator adopted
9 under Subsection (c) requires adjustment before that school year to
10 ensure consistency of performance standards.

11 (f-2) To the extent practicable, for each of the two school
12 years preceding a school year the commissioner increases a score
13 under Subsection (f-1), the commissioner shall report, in a manner
14 that can be reviewed by school administrators, the overall
15 performance of school districts and campuses under that increased
16 score.

17 (f-3) In reporting the performance of school districts and
18 campuses on indicators adopted under this subchapter for a school
19 year in which the score needed to achieve performance standards on
20 one or more of those indicators was increased under Subsection
21 (f-1), the commissioner shall include in the report an
22 informational report on the performance of districts and campuses
23 during the preceding school year under the increased score.

24 (f-4) Notwithstanding Subsection (f), the commissioner may
25 define state standards for an indicator adopted under this
26 subchapter for multiple school years provided that the commissioner
27 annually affirms that those standards are applicable to the current

1 school year. The commissioner is not required to adopt the
2 affirmation described by this subsection by rule.

3 SECTION 20. Subchapter C, Chapter 39, Education Code, is
4 amended by adding Section 39.0531 to read as follows:

5 Sec. 39.0531. INDUSTRY CERTIFICATION LIST. (a) The agency
6 shall maintain a list of industry certifications that are eligible
7 for purposes of Section 39.053(c)(1)(B)(v). In developing the
8 list, the agency shall consider the inventory of
9 industry-recognized certifications developed under Section
10 312.003, Labor Code. The certifications must:

11 (1) be aligned to a program of study that, according to
12 labor market data, prepares students for high-wage, high-skill,
13 in-demand occupations;

14 (2) allow students to demonstrate mastery of the
15 skills required for occupations within an approved program of
16 study; and

17 (3) be obtained through an assessment of the knowledge
18 and skills provided by or determined by an independent, third-party
19 certifying entity using predetermined standards for knowledge,
20 skills, and competencies.

21 (b) The agency shall review the eligibility of industry
22 certifications under Subsection (a), including whether the
23 programs of study for those certifications still meet the
24 requirements under that subsection:

25 (1) in consultation with the advisory council
26 established under Chapter 312, Labor Code; and

27 (2) to the extent practicable, concurrently with the

1 modification of performance standards under Section 39.053(f-1).

2 (c) If, after reviewing an industry certification under
3 Subsection (b), the agency determines the certification is no
4 longer eligible for purposes of Section 39.053(c)(1)(B)(v) and
5 should be removed from the list maintained under Subsection (a),
6 the agency shall, to the extent practicable, post on the agency's
7 Internet website information regarding the removal of the
8 certification not later than two years before the date the agency
9 intends to remove the certification from the list.

10 (d) During the three years following an agency's
11 determination under Subsection (c) that an industry certification
12 is no longer eligible for purposes of Section 39.053(c)(1)(B)(v), a
13 school district may receive the benefit of achievement indicators
14 based on that industry certification for purposes of Section
15 39.053(c) only for a cohort of students who:

16 (1) were participating in the program of study aligned
17 with that certification during the school year the agency
18 determines the certification is no longer eligible; and

19 (2) earn the certification within the three-year
20 period.

21 SECTION 21. Section 39.054, Education Code, is amended by
22 amending Subsections (a), (a-3), (a-4), (a-5), and (b) and adding
23 Subsections (a-6), (a-7), (c), and (d) to read as follows:

24 (a) Except as provided by Subsection (a-4), the
25 commissioner shall adopt rules to evaluate school district and
26 campus performance and, each school year, assign each district and
27 campus an overall performance rating of A, B, C, D, or F. In

1 addition to the overall performance rating, each school year, the
2 commissioner shall assign each district and campus a separate
3 domain performance rating of A, B, C, D, or F for each domain under
4 Section 39.053(c). An overall or domain performance rating of A
5 reflects exemplary performance. An overall or domain performance
6 rating of B reflects recognized performance. An overall or domain
7 performance rating of C reflects acceptable performance. An
8 overall or domain performance rating of D reflects performance that
9 needs improvement. An overall or domain performance rating of F
10 reflects unacceptable performance. A district may not receive an
11 overall or domain performance rating of A if the district includes
12 any campus with a corresponding overall or domain performance
13 rating of D or F. If a school district has been approved under
14 Section 39.0544 to assign campus performance ratings and the
15 commissioner has not assigned a campus an overall performance
16 rating of D or F, the commissioner shall assign the campus an
17 overall performance rating based on the school district assigned
18 performance rating under Section 39.0544.

19 (a-3) Except as provided by Subsection (c), not ~~[Not]~~ later
20 than August 15 of each year, the following information shall be made
21 publicly available as provided by rules adopted under this
22 section:

23 (1) the performance ratings for each school district
24 and campus; and

25 (2) if applicable, the number of consecutive school
26 years of unacceptable performance ratings for each district and
27 campus.

1 (a-4) Notwithstanding any other law and except as provided
2 by Subsection (a-6), the commissioner may assign a school district
3 or campus an overall performance rating of "Not Rated" if the
4 commissioner determines that the assignment of a performance rating
5 of A, B, C, D, or F would be inappropriate because:

6 (1) the district or campus is located in an area that
7 is subject to a declaration of a state of disaster under Chapter
8 418, Government Code, and due to the disaster, performance
9 indicators for the district or campus are difficult to measure or
10 evaluate and would not accurately reflect quality of learning and
11 achievement for the district or campus;

12 (2) the district or campus has experienced breaches or
13 other failures in data integrity to the extent that accurate
14 analysis of data regarding performance indicators is not possible;

15 (3) the number of students enrolled in the district or
16 campus is insufficient to accurately evaluate the performance of
17 the district or campus; or

18 (4) for other reasons outside the control of the
19 district or campus, the performance indicators would not accurately
20 reflect quality of learning and achievement for the district or
21 campus.

22 (a-5) Notwithstanding any other law, an overall performance
23 rating of "Not Rated" is not included in calculating consecutive
24 school years of unacceptable performance ratings and is not
25 considered a break in consecutive school years of unacceptable
26 performance ratings for purposes of any provision of this code. Any
27 interventions or sanctions to which a school district or campus is

1 subject under Chapter 39A shall continue during a period in which
2 the district or campus is assigned an overall performance rating of
3 "Not Rated."

4 (a-6) The commissioner may not assign an overall
5 performance rating of "Not Rated" to all school districts or all
6 campuses on a statewide basis.

7 (a-7) If the agency makes changes to the assessment system
8 under Section 39.022 for assessment instruments administered under
9 this subchapter that require new standards for issuing performance
10 ratings under this section, the agency must conduct a performance
11 comparison analysis between the system as changed and the preceding
12 system to establish roughly comparable standards for issuing
13 performance ratings. Failure to conduct a performance comparison
14 analysis as required under this subsection does not prevent the
15 assignment of performance ratings under this section and may not be
16 the basis of a challenge to a performance rating assigned under this
17 section.

18 (b) For purposes of assigning school districts and campuses
19 an overall and a domain performance rating under Subsection (a),
20 the commissioner shall, to the extent practicable, ensure that the
21 method used to evaluate performance is implemented in a manner that
22 provides the mathematical possibility that all districts and
23 campuses receive an A rating.

24 (c) The commissioner shall make the information under
25 Subsection (a-3) available as soon as reasonably possible in years
26 in which the standards are modified or recalibrated or in which a
27 new assessment instrument is offered.

1 (d) Failure to assign a performance rating to a school
2 district or campus before the deadline provided by Subsection (a-3)
3 does not invalidate the performance rating assigned to the district
4 or campus or any resulting intervention or sanction imposed on the
5 district or campus.

6 SECTION 22. Section 39.0541, Education Code, is amended to
7 read as follows:

8 Sec. 39.0541. ADOPTION OF INDICATORS AND STANDARDS. The
9 commissioner may adopt indicators and standards under this
10 subchapter at any time [~~during a school year~~] before issuing the
11 evaluation of a school district or campus.

12 SECTION 23. Section 39.0542, Education Code, is amended by
13 amending Subsection (a) and adding Subsection (d) to read as
14 follows:

15 (a) The [~~Each school year, the~~] commissioner shall provide
16 each school district a document in a simple, accessible format that
17 explains the accountability performance measures, methods, and
18 procedures that will be applied [~~for that school year~~] in assigning
19 each school district and campus a performance rating under Section
20 39.054.

21 (d) Failure to provide the document described by Subsection
22 (a) does not prevent the assignment of performance ratings under
23 Section 39.054 and may not be the basis of a challenge to a
24 performance rating assigned under that section.

25 SECTION 24. Section 39.151(e), Education Code, is amended
26 to read as follows:

27 (e) A school district or open-enrollment charter school may

1 not challenge on any basis, including a lack of commissioner or
2 agency authority, an agency decision relating to an academic or
3 financial accountability rating under this chapter, including a
4 decision relating to a determination of consecutive school years of
5 unacceptable performance ratings, in another proceeding unless
6 ~~[if]~~ the district or school has exhausted the district's or school's
7 remedies ~~[had an opportunity to challenge the decision]~~ under this
8 section.

9 SECTION 25. Section 39.201(a), Education Code, is amended
10 to read as follows:

11 (a) The ~~[Not later than August 8 of each year, the]~~
12 commissioner shall award distinction designations for outstanding
13 performance as provided by this subchapter concurrently with the
14 assignment of performance ratings under Section 39.054. A
15 distinction designation awarded to a district or campus under this
16 subchapter shall be referenced directly in connection with the
17 performance rating assigned to the district or campus and made
18 publicly available together with the performance ratings as
19 provided by rules adopted under Section 39.054 ~~[39.054(a)]~~.

20 SECTION 26. Subchapter H, Chapter 39, Education Code, is
21 amended by adding Section 39.231 to read as follows:

22 Sec. 39.231. LOCAL ACCOUNTABILITY GRANT PROGRAM. (a) From
23 money appropriated or otherwise available for the purpose, the
24 agency shall establish a grant program with capacity to assist at
25 least one school district per education service center region in
26 developing a local accountability system that complies with the
27 requirements of Section 39.0544.

1 (b) The commissioner shall adopt rules to implement this
2 section.

3 SECTION 27. Section 39A.001, Education Code, is amended to
4 read as follows:

5 Sec. 39A.001. GROUNDS FOR COMMISSIONER ACTION. The
6 commissioner shall take any of the actions authorized by this
7 subchapter to the extent the commissioner determines necessary if:

8 (1) a school district does not satisfy:

9 (A) the accreditation criteria under Section
10 39.052;

11 (B) the academic performance standards under
12 Section 39.053 or 39.054; or

13 (C) any financial accountability standard as
14 determined by commissioner rule; ~~or~~

15 (2) the commissioner considers the action to be
16 appropriate on the basis of a special investigation under Section
17 39.003; or

18 (3) a school district initiates or maintains an action
19 or proceeding against the state or an agency or officer of the
20 state.

21 SECTION 28. Subchapter A, Chapter 39A, Education Code, is
22 amended by adding Section 39A.008 to read as follows:

23 Sec. 39A.008. INTERVENTION RELATED TO SCHOOL DISTRICT OR
24 OPEN-ENROLLMENT CHARTER SCHOOL ACTION OR PROCEEDING AGAINST STATE.

25 (a) This section applies to a school district or open-enrollment
26 charter school subject to commissioner action under Section
27 39A.001(3).

1 (b) The commissioner may appoint a conservator to a school
2 district or open-enrollment charter school to which this section
3 applies.

4 (c) A conservator appointed under Subsection (b) shall
5 require the school district or open-enrollment charter school to
6 demonstrate, by a deadline established by the conservator, that the
7 district or school is in compliance with Section 45.105(c-1). If
8 the conservator determines that the district or school is not in
9 compliance with that section, the conservator shall order the
10 district or school to withdraw from the action or proceeding.

11 (d) If a school district or open-enrollment charter school
12 fails to comply with an order by a conservator appointed under
13 Subsection (b) by the deadline established by the conservator, the
14 commissioner may:

15 (1) for a school district, appoint a board of managers
16 to oversee the operations of the district; or

17 (2) for an open-enrollment charter school, order
18 reconstitution of the school's governing board.

19 (e) An action taken or decision made by the commissioner or
20 a conservator under this section is final and not subject to appeal
21 under Section 7.057, Chapter 39, or this chapter.

22 SECTION 29. Section 39A.107(c), Education Code, is amended
23 to read as follows:

24 (c) If the commissioner does not approve a campus turnaround
25 plan, the commissioner shall order:

26 (1) appointment of a board of managers to govern the
27 school district as provided by Section 39A.202;

- 1 (2) alternative management of the campus;
- 2 (3) operation of the campus by an entity with which the
- 3 school district contracts under Section 11.174; or
- 4 (4) [~~(3)~~] closure of the campus.

5 SECTION 30. Section 39A.108, Education Code, is amended to

6 read as follows:

7 Sec. 39A.108. IMPLEMENTATION OF CAMPUS TURNAROUND PLAN.

8 Subject to Section 39A.110(a), following [~~Following~~] approval of a

9 campus turnaround plan by the commissioner, the school district, in

10 consultation with the campus intervention team, shall [~~may~~] take

11 any actions needed to implement [~~prepare for the implementation of~~]

12 the plan.

13 SECTION 31. Section 39A.110(a), Education Code, is amended

14 to read as follows:

15 (a) If a campus for which a campus turnaround plan has been

16 ordered under Section 39A.101 receives an acceptable performance

17 rating subsequent to [~~for the school year following~~] the order, the

18 [~~board of trustees of the~~] school district is no longer required to

19 [~~may~~]

- 20 [~~(1)~~] implement the campus turnaround plan[~~+~~
- 21 [~~(2)~~ ~~implement a modified version of the campus~~
- 22 ~~turnaround plan, or~~
- 23 [~~(3)~~ ~~withdraw the campus turnaround plan~~].

24 SECTION 32. Subchapter Z, Chapter 39A, Education Code, is

25 amended by adding Sections 39A.908 and 39A.909 to read as follows:

26 Sec. 39A.908. INTERVENTIONS AND SANCTIONS WHILE ASSIGNMENT

27 OF PERFORMANCE RATINGS ENJOINED. (a) Notwithstanding any other

1 law, during a period in which the agency is enjoined from assigning
2 performance ratings to a school district, open-enrollment charter
3 school, or district or school campus, any previously imposed
4 interventions or sanctions to which the district, school, or campus
5 is subject shall continue throughout that period.

6 (b) As soon as practicable after the dissolution of an
7 injunction described by Subsection (a), the agency shall:

8 (1) assign performance ratings for each school year
9 and to each school district, open-enrollment charter school, and
10 district or school campus for which the agency was enjoined from
11 assigning performance ratings; and

12 (2) as applicable, impose any appropriate
13 interventions or sanctions authorized under this chapter based on
14 the ratings assigned under Subdivision (1).

15 (c) Notwithstanding any other law, if the agency is
16 permanently enjoined from assigning performance ratings to a school
17 district, open-enrollment charter school, or district or school
18 campus for a school year, the agency shall consider the district,
19 school, or campus to have received a "Not Rated" rating for that
20 school year for purposes of:

21 (1) calculating consecutive years of performance; and

22 (2) determining whether to impose an intervention or
23 sanction authorized under this chapter.

24 (d) To ensure the expeditious implementation of
25 interventions or sanctions under this chapter, the agency may
26 modify or waive a deadline or time frame required by law or agency
27 rule applicable to the assignment of performance ratings for a

1 school year for which the agency was enjoined from assigning
2 performance ratings.

3 (e) Except as provided by Subsection (f) and Section
4 39A.909, the agency shall impose an intervention or sanction
5 described by Subsection (b)(2) or (c)(2) as required by law unless
6 the intervention or sanction, as determined by the commissioner:

7 (1) has been superseded by a subsequent intervention
8 or sanction; or

9 (2) may be removed based on the subsequent performance
10 of a school district, open-enrollment charter school, or district
11 or school campus.

12 (f) The commissioner shall impose an intervention described
13 by Section 12.115(c), 39A.004, or 39A.111, as applicable, on a
14 school district, open-enrollment charter school, or district or
15 school campus if the district, school, or campus would have been
16 subject to commissioner action under the applicable section based
17 on the performance rating of the district, school, or campus for a
18 school year for which the agency was enjoined from assigning
19 performance ratings, regardless of the performance of the district,
20 school, or campus in a subsequent school year.

21 (g) Except as provided by Subsection (h), the commissioner
22 shall revoke a charter holder's charter for an open-enrollment
23 charter school for which the charter holder received a charter
24 renewal based on the absence of a performance rating for a school
25 year for which the agency was enjoined from assigning a performance
26 rating if, after the assignment of performance ratings for that
27 year, the charter would not have been renewed under Section

1 12.1141(d), regardless of the performance of the school in a
2 subsequent school year.

3 (h) Subsection (g) does not apply to a charter holder for
4 which the agency has renewed the charter based on the charter holder
5 entering into and meeting the requirements of a performance
6 agreement with the agency.

7 Sec. 39A.909. INTERVENTIONS OR SANCTIONS RELATED TO
8 2022-2023 OR 2023-2024 SCHOOL YEAR PERFORMANCE RATINGS. (a) The
9 commissioner shall impose an intervention described by Section
10 12.115(c), 39A.004, or 39A.111, as applicable, on a school
11 district, open-enrollment charter school, or district or school
12 campus if the district, school, or campus would have been subject to
13 commissioner action under the applicable section based on the
14 performance rating of the district, school, or campus for the
15 2022-2023 or 2023-2024 school year, regardless of the performance
16 of the district, school, or campus in a subsequent school year.

17 (b) The commissioner shall revoke a charter holder's
18 charter for an open-enrollment charter school for which the charter
19 holder received a charter renewal based on the absence of a
20 performance rating for the 2022-2023 or 2023-2024 school year if,
21 after the assignment of performance ratings for those years, the
22 charter would not have been renewed under Section 12.1141(d),
23 regardless of the performance of the school in a subsequent school
24 year.

25 SECTION 33. Section 45.105(c-1), Education Code, is amended
26 to read as follows:

27 (c-1) Notwithstanding any other law, federal, state, or

1 local funding, including funding under Chapters 46, 48, and 49,
2 ~~[Funds described by Subsection (c)]~~ may not be used to initiate or
3 maintain any action or proceeding against the state or an agency or
4 officer of the state, including an action or proceeding that
5 includes a claim of ultra vires conduct ~~[arising out of a decision,~~
6 ~~order, or determination that is final and unappealable under a~~
7 ~~provision of this code]~~, except that funds may be used for an action
8 or proceeding that is specifically authorized by a provision of
9 this code or by Section 2001.038, Government Code ~~[a rule adopted~~
10 ~~under this code and that results in a final and unappealable~~
11 ~~decision, order, or determination]~~.

12 SECTION 34. Section 22A.001(a), Government Code, is amended
13 to read as follows:

14 (a) The attorney general may petition the chief justice of
15 the supreme court to convene a special three-judge district court
16 in any suit filed in a district court in this state in which this
17 state or a state officer or agency is a defendant in a claim that:

18 (1) challenges the finances or operations of this
19 state's public school system, including challenges to the
20 implementation of the public school accountability system under
21 Chapter 39, Education Code; or

22 (2) involves the apportionment of districts for the
23 house of representatives, the senate, the State Board of Education,
24 or the United States Congress, or state judicial districts.

25 SECTION 35. The heading to Section 312.003, Labor Code, is
26 amended to read as follows:

27 Sec. 312.003. INVENTORY OF CERTIFICATIONS ~~[CREDENTIALS AND~~

1 ~~CERTIFICATES~~].

2 SECTION 36. Sections 312.003(a), (b), (c), and (d), Labor
3 Code, are amended to read as follows:

4 (a) The advisory council shall develop an inventory of
5 industry-recognized certifications [~~credentials and certificates~~]
6 that may be earned by a public high school student through a career
7 and technology education program and that:

8 (1) are aligned to state and regional workforce needs;
9 [~~and~~]

10 (2) serve as an entry point to middle- and high-wage
11 jobs; and

12 (3) meet the requirements of Section 39.0531(a),
13 Education Code.

14 (b) The inventory must include for each certification
15 [~~credential or certificate~~]:

16 (1) the associated career cluster;

17 (2) the awarding entity;

18 (3) the level of education required and any additional
19 requirements for the certification [~~credential or certificate~~];

20 (4) any fees for obtaining the certification
21 [~~credential or certificate~~]; and

22 (5) the average wage or salary for jobs that require or
23 prefer the certification [~~credential or certificate~~].

24 (c) In developing the inventory, the advisory council may
25 consult with local workforce boards, the Texas Workforce Investment
26 Council, the Texas Economic Development and Tourism Office, the
27 Texas Education Agency, and the Texas Higher Education Coordinating

1 Board.

2 (d) The advisory council shall establish a process for
3 developing the inventory, including the criteria for the inclusion
4 of a certification [~~credential or certificate~~] in the inventory.

5 SECTION 37. (a) Section 15, Chapter 925 (S.B. 1566), Acts
6 of the 85th Legislature, Regular Session, 2017, which amended
7 Section 39.102(a), Education Code, is repealed.

8 (b) The following provisions of the Education Code are
9 repealed:

10 (1) Section 33.0812;

11 (2) Sections 39.023(a-4), (c-7), and (c-10);

12 (3) Section 39A.106; and

13 (4) Section 39A.110(b).

14 SECTION 38. A rule of the State Board of Education under
15 Sections 39.022, 39.029, and 39.032(e), Education Code, that is in
16 effect on the effective date of this Act remains in effect until
17 changed by the commissioner of education in accordance with those
18 sections as amended by this Act.

19 SECTION 39. The changes in law made by Sections
20 39.023(a-11), 39.053(a), 39.054, 39.0541, and 39.0542, Education
21 Code, as amended by this Act, apply to an action or determination
22 related to public school accountability and accountability ratings
23 beginning with the 2022-2023 school year, regardless of whether the
24 action or determination occurred before, on, or after the effective
25 date of this Act.

26 SECTION 40. Section 39.023(o-1), Education Code, as added
27 by this Act, applies beginning with the 2027-2028 school year.

1 SECTION 41. The changes in law made by Section 39.053,
2 Education Code, as amended by this Act, and Section 39.0531,
3 Education Code, as added by this Act, apply to accountability
4 ratings beginning with the 2027-2028 school year.

5 SECTION 42. The changes in law made by Sections 39A.108 and
6 39A.110(a), Education Code, as amended by this Act, apply to a
7 campus for which a campus turnaround plan has been ordered before,
8 on, or after the effective date of this Act.

9 SECTION 43. This Act takes effect immediately if it
10 receives a vote of two-thirds of all the members elected to each
11 house, as provided by Section 39, Article III, Texas Constitution.
12 If this Act does not receive the vote necessary for immediate
13 effect, this Act takes effect September 1, 2025.