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THE SENATE OF TEXAS



LOIS W. KOLKHORST

STATE SENATOR

DISTRICT 18

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KOLKHORST SUPPORTS PASSAGE OF 3RD SPECIAL SESSION PRIORITY LEGISLATION

Border safety, teacher funding, and vaccine mandate legislation heads to House for action.

(AUSTIN, TX) — Working into the early Friday morning hours, Senator Lois W. Kolkhorst and fellow senators passed five bills in the 3rd Special Session of the 88th Legislature: Senate Bills 1, 2, 4, 7, and 11. The sweeping slate of legislation tackles school finance and education reforms, illegal immigration, and private employer Covid vaccine mandates.

Four of the five bills are on the Governor's Proclamation for this special session. SB 2, the school finance and teacher pay raise bill, is outside the scope of the Governor's proclamation, but the Texas Senate prioritized this issue and has sent the bill to the Texas House of Representatives.

SB 2 includes an across-the-board \$3,000 pay raise for all Texas teachers. For small-to-medium size districts under 5,000 student enrollments, each teacher will receive an additional \$7,000, for a total of \$10,000. This is the fourth time this year the Texas Senate has passed legislation funding additional pay for teachers, having voted twice in the regular session and once in the first special session.

Since teachers have already signed their contracts for the 2023-24 year and the state cannot modify those contracts, this school year it is being billed as a "retention bonus". For the 2024-2025 school year, it will be included as a pay raise.

"This is a tremendous salary increase for teachers but especially for teachers in rural districts," said State Senator Lois W. Kolkhorst (R-Brenham), a co-author of SB 2. "This bill is such an important funding policy for parity in our state, as data shows that small-to-medium size districts lag in average teacher pay approximately \$7,000. This will impact all of Senate District 18 with pay raises for all teachers and will help retain and attract the best and brightest to teach our children."

Also included in SB 2 is a doubling of the school safety allotment from \$10 to \$20 per student, plus an increase in the amount of per campus funding from \$15,000 to \$30,000. Additionally, the Basic Allotment is raised from \$6,160 to \$6,235 per student, while the Teacher Incentive Allotment and Acceleration Grants are increased by nearly \$120 million. With these teacher allotments, it is possible for a teacher to earn up to \$36,000 above their current salary.

"Earlier this year in the regular session, we passed HB 3, requiring a security officer on each campus. However, I felt the state was not providing an appropriate amount of money to fund this requirement. With SB 2, we have doubled the amount of funding in this area – an important funding stream delivering more than \$400 million in new funds to our public schools to keep our children safe," said Kolkhorst.

SB 2, as a whole, is a substantial investment in our teachers and public education, with \$5.2 billion of new money. If passed by the Legislature in this current special session, a portion of the teacher compensation funding could be available to school districts as soon as December 2023.

The Senate also passed SB 1, to empower parents making education choices for their children. It allows alternative education opportunities with a parent's tax dollars by providing eligible students the opportunity to access an \$8,000 per year Education Savings Account (ESA) that will be administered by the Comptroller's Office directly to the chosen school facility. The program will be capped at \$500 million for the biennium, with about 62,500 students expected potentially eligible.

If there are more applicants than available positions in the ESA program, eligible students will be prioritized in the following order:

1. Forty percent of the available positions will be drawn by lottery of those who qualify for free and reduced lunch, also known as Economically Disadvantaged.
2. No more than 30 percent of available positions by lottery will be for students whose parents' income is between 185 and 500 percent of the Federal Poverty Level
3. 20 percent of the positions will be selected from students who have a disability.
4. The remaining 10 percent will be for anyone not qualifying in the other three tiers.

"Each child is unique, and, as I've talked to parents in the district, many of them would like to have choices," said Kolkhorst. "Still, there needs to be safeguards against waste or abuse of tax dollars. I think SB 1, after many amendments, strikes a balance for parental choice. There was an amendment added to protect smaller school districts from any loss of revenue."

Senate Bill 7, co-authored by Kolkhorst, prohibits all private Texas businesses from adopting or enforcing a COVID -19 vaccine mandate on any employee or contractor.

"I had a similar bill in the regular session that failed to pass in the House, so I'm grateful Governor Abbott put this issue on the call of the 3rd Special Session," said Kolkhorst. "No Texan should ever

have to choose between making a living and being coerced into partaking in medical interventions against their personal judgment.”

The Senate also tackled border issues with Senate Bills 4 and 11. SB 4 raises the minimum term of imprisonment for smuggling and continuous smuggling to ten years. It also increases the minimum term of imprisonment to five years for the offense of operation of a stash house, punishable as a third-degree felony or as a second-degree felony under certain conditions.

The bill also provides felony punishment enhancements and consecutive sentencing for offenses when committed while smuggling persons into this country in violation of federal law. Similar legislation was passed out of the House and Senate as HB 800 during the regular session, but died in the House as a point of order due to the differences between the versions.

SB 11 authorizes state law enforcement to arrest individuals who illegally cross the border anywhere in the state, other than a lawful point of entry. It creates penalties of a minimum Class A misdemeanor, with increases if the person has prior convictions. This was also passed out of the Senate in the regular session as SB 2424, before it died in the House.

“Addressing border security issues with these pieces of legislation is critical to better protecting Texans and the vulnerable people being trafficked by these cartels and smugglers,” said Kolkhorst. “Human traffickers and those operating stash houses should face very harsh penalties for exploiting people for labor and sex.”

These five bills now go to the House for consideration and action.

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