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Texas Supreme Court to Hear Public School Finance Case.

AUSTIN, Texas (AP) – The Texas Supreme Court agreed Friday to hear the state’s gargantuan, multiyear school finance case – and set a timetable that ensures there won’t be a decision until after the legislative session ends in June.

Austin-based District Judge John Dietz had ruled last year and in 2013 that the way the state pays for public schools was unconstitutional, saying funding levels were inadequate and unfairly distributed around the state. The attorney general’s office has appealed to Texas’ highest civil court of appeals.

No date was set for oral arguments. But that paperwork schedule means the case will continue for more than six months at least. The legislative session that began last week ends June 1.

If the Supreme Court eventually upholds the previous rulings and strikes down the school finance system, new Gov. Greg Abbott will likely have to call lawmakers into a special session to devise a new one.

Abbott was Texas’ attorney general before being sworn in as governor on Tuesday. He did not argue the case personally, but his office has maintained that, while far from perfect, Texas’ school finance system is constitutional.

New Attorney General Ken Paxton will now continue the appeal.

In the meantime, it’s unlikely that lawmakers will attempt to overhaul the school finance system during the current session since any changes they make may have to be redone based on the Supreme Court decision. That may doom an ambitious bill filled by Rep. Jimmie Don Aycock, a Killeen Republican who chairs the House Public Education Committee.

Texas doesn’t have a state income tax, meaning public education funding relies heavily on property taxes levied in different areas. Though he knew the ongoing case could hurt his bill’s chances, Aycock proposed consolidating for tax purposes the state’s 1,200 school districts – thus making it easier for districts to share property tax collections.

The case grew out of the Legislature cutting \$5.4 billion from classrooms in 2011, prompting the school districts responsible for educating three-quarters of Texas’ 5 million-plus public school students to sue, claiming they could no longer afford to properly educate students.

The districts also argued that the current “Robin Hood” system, which mandates that schools in wealthy areas share portions of their income tax revenue with schools in poorer areas, was unfair to both.

In 2013, state lawmakers restored about \$3.4 billion in school funding. That prompted Dietz to briefly reopen the case to hear new evidence, but he affirmed his original 2013 ruling with a lengthy, written decision last August.

By WILL WEISSERT

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