

Mark Trachtenberg in Houston Chronicle: \$1.5B School Finance Bill Would Cut Recapture, Boost Student Funding

March 8, 2017 Mark Trachtenberg

PRACTICES Appellate, Litigation

The state would boost per-student funding and lower the recapture payments by property-rich school districts to their poorer counterparts under a bill filed Monday that supporters say would begin a yearslong process of reforming Texas' public school finance system...

More than 95 percent of school districts would benefit from House Bill 21, Huberty, R-Humble, said. Houston ISD, for example, could see its recapture payment cut almost in half under the bill...

The Texas Supreme Court last year ruled the state's complicated school funding formula is constitutional but in need of a revamp. The ruling ended a years-long lawsuit in which hundreds of school districts and advocacy groups said Texas failed to adequately fund public education. It was the seventh time the high court had heard a challenge to the state's school finance system since 1984...

Houston ISD currently is on the hook for about \$77 million in tax revenue through the state's recapture mechanism because the city is deemed property wealthy even though the majority of the district's student population is economically disadvantaged and minority. That recaptured money, or expensive real estate on the district's property tax rolls, would be given to another, poorer district. Under Huberty's bill, the district stands to gain \$36.7 million, lowering its recapture payment to about \$40 million, according to a legislative analysis...

[Mark Trachtenberg](#), a lawyer who represented 88 property-wealthy school districts in their lawsuit, said school districts are looking for the Legislature to make significant changes to school funding since taking the state back to court would be futile.

"In light of the Supreme Court's ruling from last May, I don't think any litigation's going to be on the table in Texas for the foreseeable future," Trachtenberg said. The court indicated that whatever constitutional requirements are set forth in the Texas Constitution, it's going to be up to the Legislature to interpret and abide by those obligations."

Excerpted from the *Houston Chronicle*. To read the full article, please [click here](#) (subscription required).