

Interim News Briefs



October 2016, Number 84-14



Public Education, Taxation

State considers fixes to school finance

October 7 — Following a [Texas Supreme Court ruling](#) in May that upheld the constitutionality of the school finance system, lawmakers are examining several ways to revise the funding structure, which the court called an “ossified regime ill-suited for 21st century Texas.”

The House committees on appropriations and public education held joint hearings in late September on interim charges related to the finance system, including “hold harmless” funding, facilities funding, and recapture.

Recapture is the wealth equalization feature of the school finance system enacted in 1993 to address a Texas Supreme Court ruling that said disparities in local property tax revenue between property-wealthy and property-poor districts violated the constitutional efficiency requirement. The House speaker

has charged the committees with recommending ways to reverse the increasing reliance on recapture payments to fund public education statewide.

The Legislative Budget Board told lawmakers that the amount of recaptured revenue has grown from \$1.2 billion in fiscal year 2014 to a projected \$2 billion in fiscal year 2017 as property values have increased. As a percentage of the finance system as a whole, the LBB said, recapture revenue has remained in the 3 percent to 5 percent range over the past 12 years.

For more information about the history of school finance litigation, the most recent Supreme Court ruling, and interim charges related to education funding, see the recent House Research Organization focus report, [Texas School Finance System Survives Latest Supreme Court Review](#).

Criminal Justice

Texas may consider raising age of adult criminal responsibility

October 31 — Texas is one of seven states in which 17-year-olds accused of committing crimes automatically enter the adult criminal justice system, rather than the juvenile system. The age at which young offenders enter the adult system is referred to as the age of adult criminal responsibility. Legislation to raise the age of adult criminal responsibility to 18 years old in Texas failed in the 2015 legislative session but could emerge again in 2017 during the regular session of the 85th Legislature.

In fiscal 2015, arrests of 17-year-olds in Texas numbered about 22,000, according to the Texas Department of Public Safety. Under proposals being discussed, youths accused of committing crimes when 17 would be under the jurisdiction of the juvenile rather than the adult justice system.

Forty-three states set the age of adult criminal responsibility at 18, which means those accused of committing crimes when they were 17 or younger enter the juvenile justice system, according to a report by the National Conference of State Legislatures (NCSL). In five states — Georgia, Michigan, Missouri, Texas, and Wisconsin — those 17 years old and older enter the adult criminal justice system. New York and North Carolina set the age for adult court jurisdiction at 16 years old. Six states have increased to 18 their age for adult court jurisdiction during the past seven years, with Louisiana and South Carolina making the change in 2016, according to NCSL.

Debate on raising the age of adult criminal responsibility focuses on outcomes for public safety as well as for young

(continued on page 2)

offenders. This includes questions about the availability of appropriate sanctions, the safety of offenders, and the capacity for rehabilitation and reduced recidivism in the juvenile and adult systems. The short- and long-term costs of raise-the-age proposals is another subject of debate, including the price for both the state and counties to impose sanctions on 17-year-olds and to provide treatment, education, and other programs. Other facets of the debate focus on how Texas should respond to U.S.

Supreme Court decisions, federal correctional standards for those under 18, state and national trends, and research on teenage brain development.

For more information on this issue, see the recent House Research Organization focus report, [Should Texas Raise the Age of Adult Criminal Responsibility?](#)