

BILL ANALYSIS

Senate Research Center
78R9632 CAS-D

C.S.S.B. 83
By: Wentworth
Education
3/27/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Under current law, a school district may provide for a period of silence at the beginning of the first class of each school day, during which a student may reflect or meditate. C.S.S.B. 83 would require Texas' public schools to set aside a minute each day for silent prayer, meditation, or reflection following the recitation of the pledges of allegiance to the United States and Texas flags.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 25.082, Education Code, as follows:

Sec. 25.082. SCHOOL DAY; PLEDGES OF ALLEGIANCE; MINUTE OF SILENCE

SECTION 2. Amends Section 25.082, Education Code, by amending Subsection (b) and adding Subsections (c) and (d), as follows:

(b) Requires the board of trustees of each school district to require students to recite the pledges of allegiance to the United States and Texas flags in accordance with certain law during each school day at each school in the district.

(c) Requires a school district to excuse a student from reciting a pledge of allegiance under Subsection (b) on written request from the student's parent or guardian.

(d) Requires the board of trustees of each school district to provide for the observance of one minute of silence at each school in the district following the recitation of the pledges of allegiance to the United States and Texas flags under Subsection (b). Authorizes each student to, as the student chooses, reflect, pray, meditate, or engage in any other silent activity that is not likely to interfere with or distract another student. Requires each teacher or other school employee in charge of students during that period to ensure that each of those students remains silent and does not act in a manner that is likely to interfere with or distract another student.

SECTION 3. Provides that this Act applies with the beginning of the 2003-2004 school year.

SECTION 4. Effective date: upon passage or September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

The relating clause differs from the original by adding text that reflects the substitute version's inclusion of provisions pertaining to the pledges of allegiance to the U.S. and Texas flags.

SECTION 1: Differs from the original by replacing the original text modifying Section 25.901, Education Code, with new text modifying the heading of Section 25.082, Education Code.

SECTION 2: Differs from the original by amending Section 25.082(d), Education Code, in a different manner than did the original.