

BILL ANALYSIS

Senate Research Center
83R4858 JSL-D

H.B. 773
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Education
5/8/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, public school students recite the pledge of allegiance to the United States flag, the Texas flag, and have a minute of silence where the student may, as the student chooses, reflect, pray, meditate, or engage in any other silent activity that will not interfere with or distract another student. However, open-enrollment charter schools are not included in this law.

H.B. 773 amends the Education Code to include open-enrollment charter schools in reciting the pledges and participating in a minute of silence each school day. Furthermore, H.B. 773 maintains the current option for a student to be excused from reciting the pledges upon written request from the student's parent or guardian.

H.B. 773 amends current law relating to a requirement that students at an open-enrollment charter school recite the pledges of allegiance to the United States flag and the state flag.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 25.082(b), (c), and (d), Education Code, as follows:

(b) Requires the board of trustees of each school district and the governing board of each open-enrollment charter school to require students, once during each school day at each campus, rather than at each school in the district, to recite:

(1) the pledge of allegiance to the United States flag in accordance with 4 U.S.C. Section 4, rather than in accordance with 4 U.S.C. Section 4 and its subsequent amendments; and

(2) Makes no change to this subdivision.

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

(d) Requires the board of trustees of each school district and the governing board of each open-enrollment charter school to provide for the observance of one minute of silence at each campus, rather than at each school in the district, following the recitation of the pledges of allegiance to the United States and Texas flags under Subsection (b).

SECTION 2. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 3. Effective date: upon passage or September 1, 2013.