



Legislative Update

Passed Public Education Bills of Interest

The Texas Legislature adjourned on May 29, ending the 88th Legislative Session. For bills passed by both the House and the Senate, the Governor had until June 20 to sign, veto, or allow bills to become law without signature. Following is an overview of education-related bills that have now become law. The final language of each bill can be found by clicking on the bill hyperlink, “text” tab, and then select the “enrolled” version of the bill to review.

Bills in maroon indicate those that are effective immediately.

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Curriculum & School Operations

ACCOUNTABILITY & ASSESSMENT

HB 1416 – Bell – HB 4545 Fix

- Relating to accelerated instruction provided to public school students who fail to achieve satisfactory performance on certain assessment instruments.
- Proposes changes to accelerated instruction that would allow more flexibility to schools providing accelerated and supplemental instruction to students who do not pass STAAR English, reading, or math exams.
- Removes the provision requiring accelerated learning committees for students who do not pass.
- Adds students who do not pass EOC assessment to requirement for accelerated instruction in the applicable subject area.

- Reduces the minimum number of hours of supplemental instruction that must be provided from 30 to 15 hours.
- Increases the supplemental instruction student-to-teacher ratio requirement from 3:1 to 4:1.
- Clarifies that the requirements for teacher assignment (master, exemplary, recognized) and supplemental instruction do not apply to a student who is retained for the school year in which the requirements would otherwise apply.
- Changes the supplemental instruction requirement for students that do not pass more than two subject areas in a school year. Allows districts to prioritize providing supplemental instruction in mathematics and reading.
- Gives parents the option to opt out of or modify the requirement for supplemental instruction by submitting a written request to an administrator at the school.
- Prohibits school districts from encouraging or directing a parent to make an election to not provide supplemental instruction or allow instruction in a group larger than 1:4.
- Charges TEA to approve an automated, computerized product for providing supplemental instruction if evidence indicates that the product is more effective than individual or group instruction. Commissioner to adopt rules.
- Allows districts to use a service provider not currently on TEA's list if the district can demonstrate that the use of the service provider results in improved student outcomes.
- Requires districts to provide parental notice that the student is not performing on grade level at a parent-teacher conference or by another means. Directs TEA to develop a model notice.
- Requires an accelerated education plan for students who do not perform satisfactorily on an assessment instrument for two or more consecutive years.
 - District shall attempt to provide parent with a parent-teacher conference with student's primary teacher at the start and end of the school year.
 - At the parent-teacher conference, parent should be given notice, explanation of accelerated instruction, accelerated education plan and how parent may participate in developing the plan.
 - Accelerated education plan must include the reason the student did not perform satisfactorily; require minimum of 30 hours of supplemental instruction; and may require (if appropriate) that supplemental instruction times be expanded, assignment of a specific teacher, and additional resources.
 - Clarifies that ARD committees would develop plans for students with IEPs for whom an accelerated education plan is required.
- Commissioner may waive the requirements for accelerated instruction for each school year in which at least 60% of students of receiving accelerated instruction perform satisfactorily on the assessment in which student previously failed. Requires Commissioner to publish list of qualifying school districts no later than the beginning of each school year.
- Passed the House 4.20.23, passed the Senate 5.16.23, sent to the Governor 5.24.23, signed by the Governor 6.9.23.
- Takes effect immediately. Changes apply beginning with 2023 spring semester assessments. Repeal of act applies with beginning 2023-2024 school year.

HB 1225 – Metzcalfe – Paper Format Assessments

- Relating to the administration of certain required assessment instruments in paper format.
- Allows a district to administer an assessment in a paper format to any student whose parent, guardian or teacher requests the paper format.

- Requests must be submitted no later than September 15 for fall administration and December 1 for spring administration.
- Limits number of students taking a paper format assessment to three percent of student enrolled in the district. Requests will be accepted in order received.
- Passed House 5.3.23, passed Senate 5.16.23, signed in the House 5.18.23, signed in the Senate 5.18.23, sent to the Governor 5.19.23, signed by the Governor 6.2.23.
- Effective immediately; applies beginning with the 2023-2024 school year.

HB 1883 – Bhojani – Assessments on Holy Days

- Relating to the administration of assessment instruments to public school students on religious holy days.
- Requires State Board of Education to ensure that assessment instruments are not administered on a religious holy day.
- Allows School Boards to consider religious holy days or periods of observance in establishing their calendar and instructional days when tests are administered.
- Requires that districts must provide alternative test days to a student who is absent from school to observe a religious holy day or period of observance on the date an assessment instrument is administered.
- Passed the House 5.2.23, passed the Senate 5.22.23, sent to the Governor 5.30.23.
- Effective immediately and applies with the beginning of the 2023-24 school year.

ATHLETICS / FINE ARTS

HB 2484 – Guillen – Safety of Referee/Official

- Relating to the safety of a referee, judge, or other official at certain public school extracurricular activities and competitions and prohibiting certain conduct by a spectator related to those officials' safety.
- Requires districts to prohibit a spectator from attending future activity or competition sponsored by the district or UIL, if the spectator causes bodily injury to a referee, judge, or other official.
- Districts may establish an appeals process.
- Imposed prohibition must be not less than one year or more than five years from date prohibition was imposed.
- Requires districts to provide an officer, administrator, or security personnel to protect a referee if a participant or spectator engages in, attempts or threatens violent conduct against a referee or if the district or school reasonable suspects that violence against a referee could occur.
- Passed by the House 4.14.23, passed by the Senate 5.15.23, sent to the Governor 5.30.23, signed by the Governor 6.13.23.
- Effective immediately and applies with the 2023-2024 school year.

HB 59 – Goodwin – Child Water Safety

- Relating to child water safety requirements for certain organizations.
- Establishes child water safety requirements for a day camp, youth camp, school, preschool, kindergarten, nursery school or childcare facility.
- Requires a child's parent or legal guardian to affirm in writing whether or not their child can swim or is at risk of injury when swimming.

- Requires that each child who cannot swim with a properly fitted Type I, II, or III United States Coast Guard Certified floatation device and that the child is properly using the safety device and provided appropriate supervision.
- Creates disciplinary action for the licensed organization if these requirements are not followed.
- Passed House 5.2.23, passed Senate 5.11.23, sent to Governor 5.18.23, signed by the Governor 6.2.23.
- Effective September 1, 2023.

HB 1002 – Price – Concussion Oversight Team

- Relating to the membership of a public school concussion oversight team and the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion.
- Allows a school district or charter school to include a chiropractor or physical therapist as a member of the concussion oversight team if they have completed the required training.
- Requires that a student be removed from interscholastic athletics practice of competition immediately if a physical therapist believes the student might have sustained a concussion during the practice or competition.
- Effective immediately.

HB 3708 – Buckley – Non-Enrolled Students and UIL Activities

- Relating to creating an allotment under the Foundation School Program for school districts that allow non-enrolled students to participate in University Interscholastic League activities.
- Creates an allotment for home-schooled students who participate in UIL activities in a school district; sets the allotment at \$1,500 per student, per activity in which the home-schooled student participates.
- Effective September 1, 2023.

HB 699 – Frank – Enrollment Determination for Non-Enrolled UIL Participation

- Relating to determining the student enrollment of a public school that allows non-enrolled students to participate in University Interscholastic League activities for purposes of assigning a University Interscholastic League classification.
- Requires UIL to use the same formula for league classification for schools that allow home-schooled students to participate in UIL activities as the formula used for schools that do not allow home-schooled students to participate in UIL activities.
- Effective immediately; applies for the 2023-2024 School Year.

See also HB 3908 – Health – regarding dangers of opioids and fentanyl instruction being added to the instruction recommend by SHAC.

CURRICULUM

HB 1605 -- Buckley – Instructional Materials / Commissioner’s Curriculum Bill

- Relating to instructional material and technology, the adoption and revision of essential knowledge and skills of the public school foundation curriculum, and creating allotments for the procurement of certain instructional materials under the Foundation School Program; authorizing a fee.
- Charges districts with the procurement of materials, open educational resources, changes the curation of instructional materials to reduce workload on teachers.

- Prohibits districts from requiring teachers to use their planning time to create or select instructional materials. Allows a district to enter into a supplemental agreement with a classroom teacher to perform lesson plan design and instructional material selection. Clarifies that teachers may voluntarily spend planning time to create or select instructional materials.
- Requires TEA to create an open education resource (OER) of SBOE-approved instructional materials for voluntary use by school districts. The approved materials would be available by publishers in an online portal for parents to browse.
- Prohibits the Commissioner from requiring a school to use OER materials.
- Provides a \$40 per student allotment as additional state aid for the purchase of state-approved instructional materials.
- Provides additional state aid not to exceed \$20 per student for costs incurred for OER materials (printing/shipping).
- Requires an in person and virtual parent portal for parents to review all district teaching materials and tests not later than 30 days before the beginning of the school year through 30 days after the school year ends.
- Requires school boards to establish a process by which a parent may request an instructional material review to make sure materials are on grade level and are taught with fidelity.
 - Board must determine if request will be granted.
 - If parents of 25% of enrolled students of a campus present the Board with a petition to conduct an instructional review, the Board shall conduct the review unless the Board denies the request by majority vote. The Board shall conduct the review if the petitions is presented by 50% of the students enrolled.
 - Board is not required to conduct a review for a specific subject or grade level at a specific district more than once per year.
- Requires SBOE to specify list of required vocabulary and at least one literary work to be taught in each grade level.
- Prohibits use of “three-cueing” reading instruction in a district’s phonics curriculum.
- Establishes a process for TEA to conduct an annual review of instructional materials.
- Requires TEA to develop standards by which a district may review instructional materials used by a classroom teacher to determine if the material corresponds with the materials adopted by the district/campus and meets TEKS.
- TEA shall award grants to assist districts in conducting reviews.
- Requires districts to annually report to the agency the instructional materials used by the district during the previous school year, including the cost of each material to assist with compliance.
- Passed by House Public Ed Committee 4.21.23, passed by House 5.3.23, passed by Senate Ed Committee 5.10.23, passed the Senate 5.12.23, House concurs with Senate amendments 5.17.23, signed in House 5.29.23, signed in Senate 5.29.23, sent to Governor 5.30.23, signed by the Governor 6.13.23.
- Take effect immediately, with stipulations. Sections 48, 49, and 50 take effect September 1, 2023.

HB 900 - Patterson - READER Act Book Ratings

- Relating to the regulation of books sold to or included in public school libraries.
- Four parts to the bill: establishing public school library standards, vendor content ratings for books, parent rights to restrict, and districts to provide and allow for public review of materials.
- Requires Texas State Library and Archives Commission to adopt mandatory standards for school library collection development (including materials contained in classroom libraries or online

libraries) with the approval of a majority of the State Board of Education, which must be reviewed and updated every five years, prohibit the possession, acquisition, and purchase of harmful material, material related as sexually explicit, or material that is pervasively vulgar or educationally unsuitable. Prohibits the removal of material based solely on ideas or personal background of author or characters.

- Requires vendors that sell library materials to rate library materials regarding sexually explicit or sexually relevant materials.
- Prohibits vendors from selling books rated sexually explicit to public schools.
- Requires vendors to issue recalls for any books rated sexually explicit that it previously sold to Texas schools.
- Requires vendors to develop and submit to TEA a list of each book containing sexually relevant or explicit materials sold to a district prior to April 1, 2024. Vendors must submit an updated list sold to school districts no later than September 1 of each year.
- Includes rating guidelines for vendors to follow for determining rating.
- Allows TEA to review a book not rated by a school book vendor as sexually relevant or explicit material, and if TEA determines that the book should be rated differently, the vendor must comply or the vendor will be added to a list of vendors from which a school district may not purchase materials.
- A school district or staff member is not liable for any claim or damage resulting from a vendor's violation of the requirements.
- Prohibits a district from allowing a student to check out library material rated sexually relevant unless the district/school first obtains parental written consent.
- Requires districts to review the content of each book in the catalog of the district that is rated as sexually relevant material by January 1 of every odd-numbered year. District shall determine, in accordance with local policy, whether to retain each book and post on the district's website or provide physical copies of the report with the title of each sexually relevant material, the district's decision regarding the material, and at which campus the material is located.
- Passed House Public Ed Committee 4.5.23; passed House 4.20.23; passed Senate Education Committee 5.18.23; passed Senate 5.23.23; signed in the House 5.25.23, signed in the Senate 5.26.23, sent to the Governor 5.26.23, signed by the Governor 6.13.23.
- Changes are effective beginning with the 2023-2024 school year; effective September 1, 2023.

HB 3803 – Cunningham – Guardian Election for Repeating Course

- Relating to allowing parents and guardians to elect for a student to repeat or retake a course or grade.
- Adds grade levels to allow a parent of a student in grades 1-8 to elect for the student to repeat the grade in which the student was enrolled the previous year.
- Allows a parent of a student enrolled in a course for high school credit to elect for the student to repeat any course in which the student was enrolled the previous year, except if the student has met all requirements for graduation.
- Passed House 4.27.23, passed Senate 5.16.23, sent to Governor 5.22.23, signed by the Governor 6.13.23.
- Effective immediately. Applies beginning with the 2023-2024 school year.

SB 2124 – Creighton – Advanced Mathematics for Middle School

- Relating to an advanced mathematics program for public school students in middle school.

- Establishes a policy that would automatically enroll successful grade 5 math students (those who score in the top 40% on the 5th grade math assessment or a local measure that include the student's 5th-grade class ranking or a demonstrated proficiency in the student's 5th grade math coursework) into accelerated math programs in 6th grade in order for those students to gain access to accelerated courses such as Algebra I in grade 8.
- Provides parents the option to opt out of the enrollment.
- Passed the Senate 4.27.23, passed the House 5.12.23, signed by the Governor 5.27.23.
- Effective immediately.

SB 1887 –West – Early College High School

- Relating to the requirements for the early college education program and the transfer of course credit among public institutions of higher education.
- Amends the requirements for early college education program and the transfer of course credit among public institutions of higher education.
- Allows participating students to combine high school courses and college-level courses during 9-12th grades.
- Allows a student to complete high school and enroll in a program at higher ed that will allow a student (on or before the 5th year anniversary of the student beginning high school) to receive a HS diploma and either and applied associate degree or an academic associate degree – toward a baccalaureate degree.
- Includes the requirement for colleges, universities, technical schools, etc. to provide articulation agreements to provide access to postsecondary educational and training opportunities; requires flexibility in class scheduling and academic mentoring, etc.
- Requires higher ed to adopt a core curriculum of no less than 42 semester credit hours and shall be consistent with common course numbering system, and that if a student successfully completes core curriculum courses that block may be transferred to any other higher ed and must be substituted for the receiving institution's core curriculum.
- Passed the Senate 4.27.23, passed the House 5.9.23, signed by the Governor 5.23.23.
- Effective immediately.

HB 4375 – VanDeaver – CPR and External Defibrillators

- Relating to instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator in public schools.
- Allows TEA to accept donations for providing instruction in the use of defibrillators.
- Requires school districts to provide instruction in the use of defibrillators to students in grades 7-12.
- Requires CPR instruction to include training in the use of defibrillators.
- Allows school districts to accept donations from TEA for use in providing instruction in the use of an AED.
- Effective immediately.

SB 2294 – Creighton – Early High School Graduation

- Relating to the establishment of certain programs to facilitate early high school graduation and enrollment at public institutions of higher education and to the repeal of the Early High School Graduation.
- Requires districts to permit a student to graduate with a Texas First high school diploma if all eligibility requirements are met, ie. if the student demonstrates mastery of and early readiness

for college in each of the core subject areas and in a language other than English, despite any other local or state requirements.

- Expands eligibility of Texas First programs to more institutions of higher education.
- Effective September 1, 2023.

SB 2032 – Creighton – Adult High School Charter School

- Relating to adult high school charter school programs.
- Expands the entities that may operate adult education programs from just nonprofit to include school districts, charter schools, and teaching institute, junior college, or technical institute.
- Expands the number of adult education program charters that may be granted to ten.
- Creates an application process for such charters.
- Passed the Senate 4.24.23, passed the House 5.16.23, signed by the Governor 5.29.23.
- Effective immediately.

See HB 4363 – Future Texas Teachers Scholarship Program on requirement to inform students of the program.

ENROLLMENT / ATTENDANCE

SB 68 – Zaffirini – Absences and Career Investigation Days

- Requires that a district may excuse a student from attending school for a career investigation day during the student's junior and senior years of high school (day must include a visit to a professional workplace for the purpose of determining the student's career interest).
- Districts may not excuse more than two days during the student's junior and senior years for career investigation days.
- Districts must also develop relevant policies and procedures.
- Passed the Senate 4.20.23, passed the House 5.11.23, signed by the Governor 5.24.23.
- Effective immediately.

HB 1212 – Jetton – Religious Holy Day & Parent Notes

- Relating to verification of excused absences from public school for the purpose of observing religious holy days.
- Allows students to use notes from parents as documentation for excused absences related to observing religious holy days.
- Prohibits requiring documentation for a clergy member or religious leader.
- Passed House 4.20.23, passed Senate 5.15.23, signed in the House 5.17.23, signed in the Senate 5.17.23, sent to Governor 5.18.23, signed by the Governor 6.2.23.
- Effective immediately; applies beginning with the 2023-2024 school year.

HB 3917 – Buckley – Dismissal of Complaint for Parent Contributing to Nonattendance

- Relating to dismissal of a complaint alleging a parent contributing to nonattendance on the parent's fulfillment of certain terms.
- Adds an option for a parent to complete counseling, training, or another program designed by the district instead of paying a fine for a truancy charge.
- Only applies to offenses committed on or after the effective date.
- Effective September 1.

SB 1008 – Flores – Residency Time for Military Families for School Attendance

- Relating to establishing residency for purposes of admission into public schools.
- Increases the time to provide proof of residency for school attendance zone purposes from 10 days to 90 days.
- Adds military temporary lodging facility to the definition of residence.
- Passed by the Senate 4.6.23, Passed by the House Public Ed Committee 4.24.23, Passed by the House 4.26.23, signed by Governor 5.10.23.
- Effective immediately.

HB 1959 – Noble – Transfer & Children of Peace Officers

- Relating to the transfer of certain public school students who are children of peace officers.
- Requires districts to transfer a peace officer’s student to another district campus or school district under an agreement with an adjoining school district upon request of the peace officer. Transportation services is not required.
- Passed House 4.20.23, passed Senate 5.16.23, signed by the Governor 6.2.23.
- Effective immediately; applies to 2023-2024 school year.

HB 2892 – Buckley – Transfer & Children of Certain Military Members

- Relating to the transfer of certain public school students who are children of certain military servicemembers.
- Defines “servicemember” as active duty member of the armed forces, a reserve component of the armed forces, or Texas national Guard.
- Requires districts to transfer a military service member’s student to another district campus or school district under an agreement with an adjoining school district upon request of the servicemember. Transportation services is not required.
- Passed House 4.20.23, passed Senate 5.17.23, sent to Governor 5.22.23, signed by the Governor 6.11.23.
- Effective immediately; applies to 2023-2024 school year.

HEALTH / NURSES

SB 294 – Johnson – Respiratory Distress Medications

- Relating to the use of medication designated for treatment of respiratory distress on public and private school campuses.
- Requires advisory committee to advise the Commissioner of State Health Services on medication used for respiratory distress in schools.
- Allows a district to adopt a policy regarding maintenance, administration, and disposal of medication for respiratory distress. If policy is adopted, then it must require that each campus have one or more trained employees/volunteers to administer medication for respiratory distress present during school hours.
- Includes guidelines if a student is treated who has not been diagnosed with asthma.
- Requires a report within ten days following an administration of the medication.
- Includes training requirements.
- Passed the Senate 4.11.23, passed the House 5.6.23, signed by the Governor 5.24.23.
- Effective immediately.

SB 1506 – Hughes – Seizure Management and Treatment

- Relating to a seizure management and treatment plan for the care to be provided by a public school to a student with a seizure disorder.
- Requires TEA to develop a form to submit a comprehensive plan to describe and detail a student's seizure management information. Details information the form should request.
- Passed the Senate 5.3.23, passed the House 5.12.23, signed by the Governor 5.27.23.
- Effective immediately.

SB 629 – Menendez – Opioid Antagonists

- Relating to the maintenance, administration, and disposal of opioid antagonists on public and private school campuses and to the permissible uses of money appropriated to a state agency from the opioid abatement account.
- Requires each school district to adopt and implement a policy regarding the maintenance, administration, and disposal of opioid antagonists at each 6-12 grade school.
- Includes requirements for the policy, such as training and number of opioid antagonists that must be available.
- Requires a report within ten days following an administration of the medication.
- Includes training requirements.
- Provides immunity for those administering medication in good faith.
- Passed the Senate 5.4.23, passed the House 5.19.23, signed by the Senate 5.28.23, signed by the House 5.29.23, sent to the Governor 5.29.23, signed by the Governor 6.18.23.
- Takes effect immediately. Policy should be adopted by January 1, 2024.

HB 3908 – Wilson – Fentanyl Abuse Prevention

- Relating to fentanyl abuse prevention and drug poisoning awareness education in public schools.
- Adds dangers of opioids and fentanyl instruction to the instruction recommend by SHAC.
- Requires Governor to designate Fentanyl Poisoning Awareness Week.
- Requires districts to annually provide research-based instruction related to fentanyl abuse prevention and drug poisoning awareness to students in grades 6-12. Requires the instruction to include suicide prevention, prevention of fentanyl abuse, awareness of resources, and health education.
- Passed by the House 5.9.23, passed by the Senate 5.23.23, sent to the Governor 5.30.23, signed by the Governor 6.17.23.
- Effective immediately and applies beginning with the 2023-2024 school year.

HB 1297 – Dutton – Vision Screening

- Relating to vision screenings for students in public or private school.
- Requires the Texas Health and Human Services Commission to adopt rules that allows vision screening of students to be conducted by an electronic eye chart instead of a printed eye chart.
- Effective September 1, 2023.

See HB 4375 - Curriculum - for new requirement to train 7-12 grade students on CPR and AED.

PRE-KINDERGARTEN

HB 1615 – Button – Prekindergarten Partnership Program

- Relating to strategies to increase the availability of child-care and prekindergarten programs.

- Requires creation of prekindergarten partnership program to assist qualified childcare providers in partnering with local school districts to provide prekindergarten.
- Requires establishment of a professional development scholarship program for current and prospective child-care workers.
- Passed House 4.13.23, passed Senate 5.17.23, signed in the House 5.19.23, signed in the Senate 5.21.23, sent to Governor 5.22.23, signed by the Governor 6.9.23.
- Effective September 1, 2023.

HB 2729 – Harris – Prekindergarten Teacher Requirements

- Relating to teacher requirements for high quality prekindergarten programs.
- Adds an associate or baccalaureate degree in early childhood education and 8 years’ experience teaching at a Texas Rising Star Program to the additional qualification options required to be a prekindergarten teacher.
- Requires each teacher provided by an entity with which a school district contracts to provide a PreK program to be supervised by someone who meets the PreK teacher requirements and has at least two years’ experience in a nationally accredited child care program, along with additional requirements. Sunsets these changes on September 1, 2029.
- Changes the 1:11 ratio requirement from one “certified” teacher to one “qualified” teacher and adds entities that contract with districts to provide PreK.
- Passed House 5.2.23, passed Senate 5.17.23, sent to Governor 5.30.23, signed by the Governor 6.13.23.
- Effective September 1, 2023, applies to 2023-2024 School Year.

SCHOOL OPERATIONS

HB 114 – Thompson – DAEP Placement - E-Cigarettes and Marihuana

- Relating to the possession, use, or delivery of marihuana or e-cigarettes on or near public school property or at certain school events.
- Requires a student to be placed in DAEP if a student possesses, uses, is under the influence of, or sells, gives, or delivers marihuana to another person on or within 300 feet of school property.
- Requires a student to be placed in DAEP if a student possesses, sells, gives, or delivers an e-cigarette to another person on or within 300 feet of school property.
- If DAEP is at capacity at the time of determining placement, the student shall be placed in in-school suspension and transferred when space becomes available.
- If DAEP is at capacity, a student placed in DAEP for certain reasons (marihuana, e-cigarettes, alcohol or abusable chemical) may be removed and placed in in-school suspension to make a DAEP position available for a student engaged in violent conduct.
- Passed by House 4.25.23, passed by Senate 5.24.23, sent to Governor 5.30.23, signed by the Governor 6.13.23.
- Effective September 1, 2023.

HB 567 – Bowers – Dress Code Policies - Hair Discrimination

- Relating to discrimination on the basis of hair texture or protective hairstyle associated with race.
- Prohibits dress codes or grooming policies, including for extracurricular activities from discriminating against a particular hair texture, braids, locks, and twists.
- Effective September 1, 2023.

SB 2069 – Bettencourt – Human Trafficking Signs

- Relating to the required posting of signs regarding human trafficking penalties by certain schools.
- Reduces requirements on schools by mandating that they post signs regarding human trafficking penalties only in conspicuous places likely to be viewed by all employees and visitors.
- Removes private schools from those required to display these signs.
- Passed the Senate 4.27.23, passed the House 5.5.23, sent to the Governor 5.9.23.
- Effective September 1, 2023.

HB 2012 – Oliverson – Display of National Motto

- Relating to the display of the national motto in public school and institution of higher education classrooms.
- Prohibits school districts from prohibiting teachers from displaying a copy of the national motto in their classrooms.
- Effective immediately, applies to the 2023-2024 school year.

SB 271 – Johnson – Confidential Information and Security Incident Procedures

- Relating to state agency and local government security incident procedures.
- Adds “local government” (cities and counties) to the existing requirement for school districts and state agencies regarding notification of security breaches.
- Adds ransomware to the definition of “security incident” for notification requirement to the Department of Information Resources within 48 hours of discovery of a security incident, including a breach or suspected breach, or a ransomware attack, and notification requirements within 10 days after recovery from the incident.
- Passed Senate 3.21.23, Passed House 5.6.23, Signed by Governor 5.19.23.
- Effective September 1, 2023.

HB 3991 – Isaac – Texas Fruit and Vegetable Day

- Relating to Texas Fruit and Vegetable Day in public schools.
- Designates first day of April as Texas Fruit and Vegetable Day to promote awareness of health benefits of fruits and vegetables and to encourage students to consume more fruits and vegetables.
- Effective immediately.

See also SB 37 – School Safety– regarding reporting hazing.

See also SB 2304 – Support Services – regarding required notification of Texas Driving with Disability Program.

SUPPORT SERVICES

HB 473 – Hull – Parental Rights and Threat Assessment

- Relating to parental rights regarding a threat assessment of a student conducted by a public school's threat assessment and safe and supportive school team.
- Requires parental notification before conducting a threat assessment.
- Provides parent avenues to participate in the threat assessment.
- Requires the threat assessment team to provide the findings to the parent at the conclusion of the assessment.

- Passed House 4.18.23, passed Senate 5.17.23, sent to Governor 5.30.23, signed by the Governor 6.13.23.
- Applies beginning 2023-2024 school year, effective immediately.

HB 3928 – Toth – Dyslexia Services

- Relating to dyslexia evaluations and services for public school students, the provision of services for students with dyslexia and related disorders, and certain parental notice regarding the rights of parents of public school students with disabilities.
- Prohibits a school district from delaying an evaluation of a child suspected of having a disability because of an intervention process related to dyslexia or other reading difficulties or removing a student from their campus as a result of academic difficulties.
- Requires school districts to seek parental consent for an FIE that assesses for dyslexia and related disorders and associated academic difficulties and includes on the evaluation team a person with specific knowledge regarding dyslexia.
- Sets requirements related to identification of students with dyslexia and the employment of therapists for dyslexia.
- Requires providing parents evaluation information for special education services upon a student's assignment to and return from DAEP.
- Sets requirements related to provision of services for students with dyslexia.
- Passed by the House 5.3.23, passed by the Senate 5.17.23, sent to the Governor 5.24.23, signed by the Governor 6.10.23.
- Effective immediately.

HB 1926 –Hull – Supplemental Special Education Services Program

- Relating to the expiration date and funding of the supplemental special education services program.
- Allows the legislature to provide an amount of funding for the supplemental special education services program in appropriation; eliminates the sunset provision of the program.
- Effective September 1, 2023.

SB 2304 – Price – Driver Education & Texas Driving with Disability Program

- Relating to the regulation of driver education courses and driving safety courses and the provision of information regarding the Texas Driving with Disability Program to certain public school students.
- Requires school districts and charter schools to provide information regarding the Texas Driving with Disability Program to students, and the parents of those students, who have a health condition or disability that may impede effective communication with a peace officer and receive Special Education services or are covered by Section 504.
- Requires the information to be provided annually to each described student who is 16 until they graduate from high school or turn 21.
- Requires the TEA, DMV, and Governor's Committee on People with Disabilities to develop the information; requires the information to include a person's option to voluntarily list their health condition or disability that impedes their communication with a peace officer on their vehicle registration.
- Allows the information to be provided with transition planning materials.
- Effective immediately, applies to the 2023-2024 School Year.

SB 763 – Middleton – Chaplains as Counselors

- Relating to allowing public schools to employ or accept as volunteer chaplains.
- Allows districts to employ or accept as volunteers chaplains to provide support, services, and programs for students.
- Requires that chaplain meets criminal history requirements.
- Does not require chaplain to be certified by SBEC.
- Passed by the Senate 4.25.23, passed by the House 5.9.23, Senate adopts conference committee report 5.23.23, House adopts conference committee report 5.24.23, signed in Senate 5.25.23, signed in House 5.26.23, sent to Governor 5.29.23, signed by the Governor 6.18.23.
- Effective September 1, 2023.

SB 26 – Kolkhorst – Local Mental Health Grant and Reporting

- Relating to local mental health authority and local behavioral health authority audits and mental and behavioral health reporting, services, and programs.
- Creates innovation matching grant program for mental health early intervention and treatment.
- Requires the Health and Human Services Commission to create a transition plan for individuals.
- Makes changes and creates additional requirements for the public reporting.
- Passed Senate 4.13.23, passed House 5.23.23, sent to the Governor 5.29.23, signed by the Governor 6.18.23.
- Effective September 1, 2023.

HB 2059 – Price– Mental Health Training

- Relating to mental health first aid training provided by local mental health authorities and local behavioral health authorities.
- Enhances mental health first aid training partnerships between school districts, open enrollment charter schools, and institutions of higher education and mental health authorities and local behavioral health authorities.
- Allows for grants to be given to local behavioral health authorities to cover training costs.
- Effective September 1, 2023.

See also **SB 798 – Staff Related – regarding counselor certification requirements.**

Operations Related

SB 29 – Birdwell – Prohibition of COVID Mandates and Closures

- Relating to prohibited governmental entity implementation or enforcement of a vaccine mandate, mask requirement, or private business or school closure to prevent the spread of COVID-19.
- Prohibits government entities from implementing mandatory face coverings, vaccines, and private business or school closure due to COVID-19.
- Exempts some facilities from the prohibition, such as hospital.
- Passed Senate 4.3.23, passed House 5.23.23, signed by the Governor 6.2.23.
- Effective September 1, 2023.

HB 9 – Ashby – Broadband Infrastructure Fund

- Relating to the development and funding of broadband and telecommunications services.

- Creates “Broadband Infrastructure Fund” which can accept gifts, grants, and donations.
- Fund can be used to administer the broadband development program, next generation 911 fund, deployment of next generation 911 services, deposit money to broadband pole replacement fund, provide matching funds for Broadband Equity, Access, and Deployment fund, expand access to broadband development services in economically distressed communities, and operate the broadband development office.
- Changes ability for public utility commission to charge a fee for 911 while being provided by broadband development office.
- Passed House 4.27.23, passed Senate 5.18.23, sent to Governor 5.30.23, signed by the Governor 6.9.23.
- If the constitutional amendment creating the broadband infrastructure fund is approved by voters (HJR 125), becomes effective January 1, 2024.

HB 3033 – Landgraf – Public Information

- Relating to the public information law.
- Requires the AG to provide decisions on open records requests within 30 days instead of 45.
- Requires a governmental body to provide the records or notice that the records are being withheld as the result of a decision of the AG within 15 days of receiving the decision.
- Requires the AG to publish a database of all requests and decisions.
- Adds to definition of “business day.” In order to define the maximum of 10 nonbusiness days, school board has to designate those days.
- Passed House 5.7.23, passed Senate 5.23.23, sent to Governor 5.30.23, signed by the Governor 6.13.23.
- Effective September 1, 2023.

HB 1707 – Klick – Charter Schools

- Relating to the applicability of certain laws to open-enrollment charter schools.
- Requires political subdivisions to consider charter schools as school districts for purposes of zoning, permitting, utility services, etc.
- Requires that charters provide notice of a new campus to local school districts and legislators within 20 business days of closing on the purchase or lease of real property for that campus.
- Passed by House 5.1.23, passed by Senate 5.23.23, sent to Governor 5.30.23, signed by the Governor 6.12.23.
- Takes effect immediately.

HB 2102 – Goldman - Charter School Notice

- Relating to the establishment of a new open-enrollment charter school campus by certain charter holders and to the expansion of an open-enrollment charter school.
- Allows charter schools to provide notice to the Commissioner of the charter's intent to open a new campus 36 months in advance, up from 18 months.
- Effective September 1.

HB 5 – Hunter – Chapter 313 Agreements / School District Tax Abatement Programs

- Relating to agreements authorizing a limitation on taxable value of certain property to provide for the creation of jobs and the generation of state and local tax revenue; authorizing fees; authorizing penalties.

- Allows school districts to enter into agreements with investment projects in certain industries to provide tax incentives for the investment project.
- Creates a mechanism in which a company would submit an application with an economic impact statement to a school district, which would then forward the application along with a school finance impact statement to the Office of the Texas Comptroller. The comptroller would review the information and make a recommendation to the district on whether to accept the offer or not. School board would then need to take action to approve or disprove the offer but may only approve offers recommended for approval by the comptroller.
- If an offer is received, school district must take formal action in a board meeting.
- Establishes requirements for the number of jobs required by the project and the types of projects that are eligible for consideration.
- Passed by House 5.5.23, passed by Senate 5.24.23, sent to Governor 5.30.23, signed by the Governor 6.9.23.
- Effective January 1, 2024, with stipulation. Section 10 takes effect September 1, 2023.

HB 1825 – Turner – Alcoholic Beverages at District-Owned Performing Arts Facilities

- Relating to the consumption, possession, and sale of alcoholic beverages at certain performing arts facilities owned by certain school districts.
- Allows a school district to adopt a policy allowing the consumption, possession, and sale of an alcoholic beverage at an event held at a performing arts facility owned by the district if the district is located in a county in which two or more stadiums with a capacity of at least 40,000 are within two miles of the performing arts facility that is owned by the district and leased to a nonprofit organization for an event not sponsored or sanctioned by the district.
- Author's intent was to expand current law to include Arlington ISD and allowing that district to adopt a policy that would allow alcohol to be served at the Center for Visual and Performing Arts.
- Effective September 1, 2023.

SB 1131 – Blanco – El Paso ISD Election Date Change

- Relating to the authority of certain independent school districts to change the date of the general election for officers.
- Allows school districts in a county bordering Mexico with a population between 450,000 and 870,000 to change their uniform election date to November.
- Purpose is to allow El Paso ISD to hold their trustee election at the same time as the city of El Paso, thereby sharing and saving election expenses.
- Expires January 1, 2029.
- Passed by Senate 4.20.23, passed by House 5.24.23, sent to Governor 5.29.23, signed by the Governor 6.18.23.
- Effective immediately.

SB 2620 - Springer – Election of Officers

- Relating to authorizing certain political subdivisions to change the date on which their general election for officers is held.
- Allows districts and entities to change general election date to elect officers to November.
- Signed by the Governor 6.18.23.
- Effective September 1.

See also **HB 3623 Joint School Marshal under School Safety regarding MOU.**

See also **HB 1789 – Staff Related - for nepotism exemption for school bus drivers.**

School Board

SB 232 – Hinojosa – Removal from Office

- Relating to the removal from office of an officer of a political subdivision for commission of certain criminal offenses.
- Requires the automatic removal of an elected or appointed person from office if the person is convicted of or pleaded guilty to bribery, theft of public money, perjury, coercion of a public servant or voter, tampering with governmental record, misuse of official information, abuse of official capacity, or conspiracy or attempt to commit any of the previous offenses is automatically removed from office. The Governing body of the political subdivision at the next meeting must officially remove individual and replace individual accordingly.
- Passed by Senate 5.3.23, passed by House 5.24.23, sent to Governor 5.29.23, signed by the Governor 6.18.23.
- Effective September 1, 2023.

HB 2285 – Noble – Board Member Term Change

- Relating to the authority of certain independent school districts to change the terms for members of the districts' board of trustees.
- Allows the board of trustees adopt a resolution no later than December 31, 2023, to adjust the length of terms of the trustees into staggered terms of either three or four years.
- Targeted to Farmersville, TX. Stipulates central admin office in a county population between 1-1.25 million and municipality with a population of 4.500.
- Effective immediately.

See also **HB 1789 – Staff Related - for nepotism exemption for school bus drivers.**

See also **HB 3 – School Safety – for determining number of required armed officers and required policy providing notice of violent activity.**

See also **HB 900 - Curriculum – regarding READER Act and reviewing books marked sexually relevant and decision to retain based on policy.**

See also **SB 1720 – School Safety –regarding required policy for confidentiality of reporting employee on threat assessment.**

See also **SB 629 – Health – for required policy on opioid antagonists.**

See also **HB 3033 – School Operations – regarding board action to designate a maximum of ten nonbusiness days in relation to public information requests.**

See also **SB 294 – Health – for optional policy on respiratory distress medications.**

School Finance

HB 1 – Bonnen – State Budget Bill

- Establishes about \$33 billion in general revenue and \$63.5 billion in all funds for public education under the Texas Education Agency for the 2024-25 biennium.
- Fully funds current law which includes \$2.5 billion in public education funding for enrollment growth.
- Provides an additional \$2.37 billion to school districts for increases to the yield on “golden pennies.” The yield on the golden penny will increase from the current \$98.56 to \$126.21 in FY 24 and \$129.52 in FY 25. (A restoration of cuts made last session.)
- Dedicates \$8.5 billion of 2024-25 funding to property tax relief through school district tax rate compression over the next biennium.
- Anticipates \$9.32 billion in recapture payments from local school districts (compared to \$5.65 billion anticipated in SB 1 last biennium).
- Basic Allotment remains at \$6,160.
- \$3.9 billion set aside for school funding and teacher compensation increases, however no legislation passed that would have enacted that funding.
- \$500 billion set aside for school vouchers, however no legislation passed that would have enacted that funding.
- Provides \$588.5 million to TRS to maintain health insurance premium increases below 10 percent each year for TRS-ActiveCare participants.
- \$1.6 billion included for a one-time supplemental annuity payment for certain TRS retirees and \$3.4 billion to provide a cost-of-living adjustment.
- Other dedicated funding includes:
 - Curriculum/instructional materials (HB 3) - \$600 million
 - School Safety (HB3) - \$300 million
- Passed by House Appropriations 3.24.23, passed by the House 4.10.23, passed by the Senate Finance Committee 4.12.23, passed by the Senate 4.17.23, House refuses to concur with amendments and appointed conferees 4.20.23, Senate appointed conferees 4.20.23, Senate adopts conference committee report 5.26.23, House adopts conference committee report 5.27.23, signed in the House 5.28.23, signed in the Senate 5.29.23, sent to Comptroller 5.30.23, signed by the Governor 6.18.23.
- Effective September 1, 2023.

SB 30 – Huffman – Supplemental Appropriations Bill

- Supplemental appropriations bill that spends nearly \$12 billion in current biennium.
- Includes \$1.1 billion for school safety grants.
- Recognizes an \$8.4 billion reduction in the appropriation of state money to public education due to ESSER supplanting, high property value growth and lower ADA increases.
- Spends \$1 billion GR for TRS benefit increases.
- Passed by the Senate 3.15.23, passed by the House 4.6.23, Senate refused to concur and appoints conferees 4.20.23, House appoints conferees 4.24.23, Senate adopts conference committee report 5.26.23, House adopts conference committee report 5.27.23, signed in Senate 5.29.23, signed in House 5.29.23, sent to comptroller 5.30.23.
- Effective immediately.

HB 4456 – Harris – Calculation of Ad Valorem Tax Rates

- Relating to the calculation of certain ad valorem tax rates of a school district.
- Requires districts to use same form as other taxing entities to submit their no-new-revenue tax rate and the voter-approval tax rate for the taxing unit as required by Chapter 26 of the tax code.
- Passed by House 5.9.23, passed by Senate 5.24.23, sent to Governor 5.30.23, signed by the Governor 6.18.23.
- Effective January 1, 2024.

HB 4077 – Noble – Homestead Exemption

- Relating to the procedure for qualifying for an exemption from ad valorem taxation of the residence homestead of an elderly person.
- Makes the 65-year old tax exemption automatic if the person's age is already in the records of the appraisal district.
- Effective January 1, 2024.

HB 4645 – Flores – Charitable / Low-Income Exemption from Ad Valorem Taxation

- Relating to the exemption from ad valorem taxation of certain property used to provide low-income or moderate-income housing.
- Allows qualifying charitable organizations that lease land under a ground lease to obtain property tax exemption on improvements owned by the organization that it constructs or rehabilitates to provide low--income or moderate--income housing for individuals or families who meet the income requirements.
- An organization that leases land as described is considered to be the owner of that land for the specific purpose of receiving this tax exemption.
- Passed by House 5.9.23, passed by Senate 5.24.23, sent to Governor 5.30.23, signed by Governor 6.13.23.
- Effective January 1, 2024.

SB 719 – Paxton – Charitable / Foster Home Exemption from Ad Valorem Taxation

- Relating to an exemption from ad valorem taxation of property owned by a charitable organization that provides services related to the placement of a child in a foster or adoptive home.
- Provides provisions for charitable organizations that support children with disabilities and provide services related to the placement of adoptive or foster children.
- Passed by Senate 4.26.2023, passed by House 5.24.23, sent to Governor 5.29.23, signed by Governor 6.18.23.
- Effective January 1, 2024.

SB 2289 – Huffman – Medical Product Exemption from Ad Valorem Taxation

- Relating to the exemption from ad valorem taxation of equipment or inventory held by a manufacturer of medical or biomedical products to protect the Texas healthcare network and strengthen our medical supply chain.
- Provides a property tax exemption for medical or biomedical products held by a manufacturer of such products and tangible personal property used in the manufacturing of such products.
- Takes effect January 1, 2024, on adoption of constitutional amendment.

SJR 87 – Huffman – Medical Product Exemption from Ad Valorem Taxation

- Proposing a constitutional amendment to authorize the legislature to exempt from ad valorem taxation equipment or inventory held by a manufacturer of medical or biomedical products to protect the Texas healthcare network and strengthen our medical supply chain.

SB 1145 – West – Childcare Facility Local Option Ad Valorem Tax Exemption

- Relating to a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.
- Allows a local option tax exemption for certain childcare facilities.
- Childcare facilities must participate in the Texas Workforce Commission’s Texas Rising Star Program and have at least 20% of enrolled children receiving subsidized services to be exempt from county and municipal taxes.
- Passed by Senate 5.1.2023, passed by House 5.16.23, signed by Governor 5.29.23.
- Takes effect January 1, 2024, on adoption of constitutional amendment.

SJR 64 - West - Childcare Facility Local Option Ad Valorem Tax Exemption

- Proposing a constitutional amendment authorizing a local option exemption from ad valorem taxation by a county or municipality of all or part of the appraised value of real property used to operate a child-care facility.

HB 260 – Murr – Open-Space Land Appraisal for Ad Valorem Taxes

- Relating to the calculation of net to land in the appraisal of open-space land for ad valorem tax purposes.
- require a chief appraiser to take into consideration the effect that the presence of a wildlife or livestock disease or pest has on the net income from the land. This provision applies to the appraisal of open-space land for a tax year that begins on or after the bill's effective date.
- Effective January 1, 2024.

SB 2350 – Bettencourt – Voter-Approval Tax Rate

- Relating to the voter-approval tax rate used to calculate the unused increment rate of a taxing unit for ad valorem tax purposes.
- Clarifies that once a voter-approval tax rate has been adopted, rate and truth in taxation worksheets cannot be changed.
- Effective Immediately

HB 2209 – Lozano – Rural Pathway Excellence Partnership Allotment

- Relating to establishing the Rural Pathway Excellence Partnership (R-PEP) program and creating an allotment and outcomes bonus under the Foundation School Program to support the program.
- Requires TEA to establish a Rural Pathway Excellence Partnership program to incentivize multidistrict, cross-sector, rural college and career pathway partnerships.
- Requires TEA employees who administer the program to have experience with procedures related to school district contracting to partner to operate a district campus; the program must enable districts with less than 1,600 students who are within 100 miles of another school district to offer more robust career and college pathway opportunities; partnerships must offer pathways that align to regional labor market projections for high-wage, high-demand careers; sets additional, specific requirements for the partnerships.

- Creates an allotment for the R-PEP program of 1.11 for each non-educationally disadvantaged 9-12 grade student in such a program and 1.15 for each educationally disadvantaged 9-12 grade student in such a program.
- Creates an additional outcome bonus of \$750 for each non-educationally disadvantaged student and \$1,500 each educationally disadvantaged student who graduates from the program over and above the minimum number of graduates set by the TEA.
- Caps the allotments for this program at \$5 million.
- Effective immediately, except Section 2 takes effect on September 1, 2023.

HB 796 – Button – Appraisal District Protest Hearing Database

- Relating to the creation and maintenance by an appraisal district of a publicly available Internet database of information regarding protest hearings conducted by the appraisal review board established for the district.
- Effective on January 1, 2024.

SB 1381 – Eckhardt - Surviving Spouse Local Exemption

- Relating to the eligibility of the surviving spouse of an elderly person who qualified for a local option exemption from ad valorem taxation by a taxing unit of a portion of the appraised value.
- Provides that the surviving spouse of an individual 65 years of age or older or disabled who qualified for a local option exemption for an individual 65 years of age or older or disabled, may continue to receive the exemption in the year following the property owner's death without applying for the exemption.
- Effective January 1, 2024.

See HB 3 – School Safety – for limitation on use of bond funds and school safety allotment.

See HB 3708 – Athletics - regarding allotment for homeschooled students participating in UIL activities.

School Safety

HB 3 – Burrows – School Safety

- Relating to measures for ensuring public school safety, including the development and implementation of purchases relating to and funding for public school safety and security requirements and the provision of safety-related resources.
- Requires the School Board to determine the appropriate number of armed security officers for each campus and requires that at least one armed officer be present at each school during regular school hours.
- A school board may claim a good cause exception for armed officer due to lack of funding or available personnel. Requires those claiming a good cause exemption to develop an alternative standard that may include a school marshal or other armed staff member.
- Increases the school safety allotment 28 cents to \$10 per student.
- Establishes a campus funding floor of \$15,000 per-campus allotment.
- Requires staff who regularly interact with students to complete mental health training (25% completion by beginning of 2025-2026, 50% completion by 2026-2027, 76% completion by 2027-2028, 100% completion by 2028-2029).

- Requires school district peace officers and school resource officers to complete active shooter response training at least once each four-year period.
- Requires Education Service Centers to serve as school safety resources for districts and assigns TEA to monitor the implementation and operation of requirements related to school safety. Allows Commissioner to appoint a conservator if a district fails to comply with requirements.
- Includes child's disciplinary record and any threat assessment as part of child's transfer records.
- Requires TEA to establish guidelines for district's emergency operations plan in regard to students with disabilities.
- Requires TEA to establish standards for providing notice of violent activity at a school, district facility, or district -sponsored activity to guardians. Requires each district to adopt a policy to meet the standards.
- Requires schools to establish a procedure for students to report concerning behavior.
- Requires district to provide to local law enforcement a map of each campus and opportunity to conduct a walk-through.
- Requires a district to hold a public hearing if it fails to submit emergency operations plan to the center for review and tightens other requirements and timelines for corrections.
- Requires the center to review the facilities standards for instructional facilities and make recommendations at least once every five years.
- Requires compliance with facilities standards and that a district must develop and maintain documentation of the district's implementation and compliance with school safety and security facilities standards.
- Establishes a good cause exception if a district is unable to comply with standards related to safety and security due to age/location of building, remaining functional life of facility, funding, supply chain obstacle. Requires those claiming a good cause exemption to develop an alternative standard.
- Requires noncompliant districts to use proceeds of bond funds to achieve compliance before the district may use the proceeds for any other authorized purpose.
- Requires sheriff of a county with total population less than 350,000 to conduct semiannual school safety meetings, if more than one public school then only one semiannual meeting is required. Stipulates required persons to attend, such as the superintendent.
- Passed by the Select Youth Health, Safety Committee 4.18.23, passed by the House 4.25.23, passed by the Senate Education Committee 5.18.23, passed by the Senate 5.21.23, House refuses to concur and names conference committee 5.23.23, Senate appoints conferees 5.25.23, Senate adopts conference committee report 5.28.23, House adopts conference committee report 5.28.23, signed in House 5.29.23, signed in Senate 5.29.23, sent to Governor 5.30.23, signed by Governor 6.14.23.
- Effective September 1, 2023.

SB 838 – Creighton – School Panic Alert

- Relating to school districts and open-enrollment charter schools providing silent panic alert technology in classrooms.
- Requires districts and charter schools to have panic alert devices in each classroom.
- Passed Senate 4.11.23, Passed House Youth Health and Safety Committee 4.21.23, Passed House 4.25.23, signed by Governor 5.5.23.
- Bill becomes effective immediately. Applies with the 2025-2026 school year.

SB 1720 – Kolkhorst – Confidentiality of Reporting a Threat

- Relating to the confidentiality of the identity of a public school employee who reports a potential threat to the school's threat assessment and safe and supportive school team.
- Requires district policy regarding threat assessment and safe and supportive school team to include that an employee who reports a threat to the team may elect for the employee's identity to be confidential and not subject to disclosure under the Public Information Act.
- Passed by Senate 4.19.23, passed by House 5.24.23, sent to Governor 5.29.23, signed by the Governor 6.18.23.
- Effective immediately, applies for the 2023-2024 School Year

HB 1905 – Talarico – Safety Training for Out-of-School Time Providers

- Relating to allowing school districts to make available certain school safety training courses to employees of certain private schools, child-care facilities, or organizations providing out-of-school-time care.
- Allows school districts to make available no-cost school safety training courses, that have been approved by the Texas School Safety Center and determined to be appropriate by the district's safety and security committee, to employees of accredited private schools located in the district or child care facilities or organizations providing out-of-school time care to children who reside in the district.
- TEA may solicit and accept gifts, grants, and donations from public and private sources to pay for the cost of offering school safety training.
- Effective September 1, 2023.

HB 3623 – Hefner – Joint School Marshal

- Relating to a memorandum of understanding between public or private primary or secondary schools authorizing a school marshal of one school to act as a school marshal at the other school during an event at which both schools participate.
- Allows two schools to enter into an MOU to temporarily authorize the school marshal of one school to act as a school marshal at another school during an event that both schools participate.
- Effective immediately.

SB 133 – West – Physical Restraint Prohibitions

- Relating to prohibiting the physical restraint of or use of chemical irritants or Tasers on certain public school students by peace officers and school security personnel under certain circumstances.
- Prohibits an officer or school security from restraining or using a chemical irritant spray or Taser on a student enrolled in fifth grade or below unless the student poses a serious risk of harm.
- Passed by Senate 4.11.23, passed by House 5.6.23, sent to Governor 5.29.23, signed by the Governor 6.18.23.
- Effective immediately.

HB 1760 – Hefner – Prosecution of Weapon on School Grounds

- Relating to the prosecution of the offense of possessing a weapon in certain prohibited places associated with schools or postsecondary educational institutions.
- Clarifies provisions related to the prohibition on possession firearms on school premises and expands the prohibition to include postsecondary institutions.
- Effective September 1, 2023.

HB 4906 – Hefner – Tracking Equipment and Officers

- Relating to the installation and use of tracking equipment and access to certain communications by certain peace officers.
- Makes peace officers who are commissioned by a school district an "authorized peace officer" for the purposes of requirements related to installation and use of tracking equipment and access to communications.
- Under author's intent, school police officers who issue search warrants for electronic evidence may find that any evidence obtained would be suppressed upon being challenged in court. This change addresses the issue by revising the definition.
- Effective September 1, 2023.

SB 37 – Zaffirini – Hazing

- Relating to the criminal offense of hazing.
- Eliminates the requirement that a person report potential hazing in writing.
- Allows reports to be made to peace officer or law enforcement agencies.
- Requires entities organized to support an organization to make reports of hazing.
- Effective September 1, 2023.

See HB 114 – DAEP Placement – E-Cigarettes and Marihuana

See HB 473 – Support Services – regarding parental rights prior to threat assessment.

Staff Related

HB 4520 – Harris – Convicted Educator Retirement Consequences

- Relating to employment and retirement consequences for an educator convicted of or placed on deferred adjudication community supervision for the sale, distribution, or display of harmful material to a minor.
- Requires SBEC to revoke the certification of a person who is convicted of the sale, distribution, or display of harmful material to a minor.
- Makes individuals who are convicted of the above offense ineligible for retirement benefits.
- Effective September 1, 2023.

HB 621 – Shaheen – Temporary Certification for Military and First Responders

- Relating to creating a temporary certification to teach career and technology education for certain military service members and first responders.
- Requires SBEC to develop temporary certification for military servicemen and first responders to teach career and technology.
- Includes requirements for the proposed rules, such as allowing substitution of 48 months of experience plus 60 credit hours with a minimum 2.5 GPA.
- Requires districts who employ someone under this temporary certificate to obtain at least 20 hours of classroom management training, unless documented experience as an instructor/trainer.

- Requires districts to assign a mentor to a teacher employed with this temporary certification for at least two years.
- Passed by House 5.3.23, passed by Senate 5.16.23, sent to Governor 5.30.23, signed by Governor 6.13.23.
- Effective September 1, 2023.

SB 544 – Blanco – Temporary Certification for Community College of the Air Force Instructor

- Relating to the issuance of a temporary teaching certificate to and requirements regarding educator certification for certain persons with experience as instructors for the Community College of the Air Force.
- Requires SBOE to issue a temporary teaching certificate if someone enrolls in an educator preparation program and they have a bachelor’s degree and at least two semesters as a full-time instructor for the Community College of the Air Force.
- Requires that their experience and training count toward the program requirements for completion of an educator prep program.
- Limits the length of the temporary certificate to one year.
- Passed by Senate 4.2023, passed by House 5.24.23, sent to Governor 5.29.23, signed by Governor 6.18.23.
- Effective September 1, 2023.

HB 4363 – Kuempel – Future Texas Teachers Scholarship Program

- Establishes the Future Texas Teachers Scholarship Program to recruit, prepare, and retain a talented and diverse workforce of career teachers.
- Lists eligibility requirements of an educator preparation program and student eligibility for the scholarship.
- For 2023-2024, the scholarship amount is \$12,000.
- Requires districts to notify middle school and high school students of the Future Texas Teachers Scholarship Program.
- Passed by House 5.2.23, passed by Senate 5.21.23, sent to Governor 5.30.23, signed by Governor 6.13.23.
- Effective immediately.

SB 798 - Middleton - Counselor Certification Requirements

- Relating to the certification requirements for a public school counselor.
- Prohibits the qualifications for certification as a school counselor from including experience as a classroom teacher; requires the State Board for Educator Certification to adopt rules to implement this legislation.
- Author’s intent is to prohibit the inclusion of a requirement that a candidate has experience as a classroom teacher in the hiring process for a school counselor in an effort to remove unnecessary barriers for entry for prospective school counselors.
- Effective September 1, 2023.

HB 2929 – Lozano – Continuing Education Requirements

- Relating to continuing education and training requirements for classroom teachers and public school counselors.

- Allows continuing education in a topic in the list of topics that may not be required to make up more than 25% of the continuing education required every five years to count toward a teacher's continuing education requirements.
- Requires continuing education requirements for counselors to provide that at least 25% of continuing education every five years include instruction regarding assisting students in developing high school graduation plans, implementing dropout prevention strategies, informing students concerning college admissions and career opportunities, counseling students regarding mental health conditions, and effective implementation of a comprehensive school counseling program.
- Effective immediately, applies to the 2023-2024 school year.

HB 1789 – Buckley – Nepotism and Bus Drivers

- Relating to the application of nepotism prohibitions to a person appointed or employed by a school district as a bus driver.
- Expands nepotism exemption for hiring school bus drivers.
- Allows districts located to hire a person who is related to a school board member as a bus driver if the school board approves the employment.
- Effective September 1, 2023.

See **HB 3 – School Safety for requirements regarding mental health training.**

Teacher Retirement System

SB 10 – Huffman – TRS Cost-of-Living Adjustment

- Relating to certain benefits paid by the Teacher Retirement System of Texas.
- Provides a tiered one-time COLA (cost-of-living-adjustment) of 2%,4%, or 6% depending on date of retirement.
- Provides a supplemental payment equal to \$2,400 for retirees 70-74 and a \$7,500 supplemental payment for retirees 75 and older.
- Passed by Senate Finance Committee 3.27.23; passed by Senate 3.29.23, passed by House Pensions, Investment, Financial Services Committee 4.21.23, passed by House 5.1.23, Senate refuses to concur and appoints conference committee 5.4.23, House appoints conferees 5.5.23, Senate adopts conference committee report 5.27.23, House adopts conference committee report 5.28.23, signed in senate 5.29.23, signed in House 5.29.23, sent to Governor 5.29.23, signed by Governor 6.14.23.
- Effective immediately, except Section 1 takes effect January 1, 2024, but only if HJR 2 is approved by the voters.

SB 1854 –Paxton – Optional Dental and Vision Care under Texas Public School Employees Group Insurance

- Relating to optional group benefits for dental and vision care under the Texas Public School Employees Group Insurance Program.
- Requires TRS to establish and make available an optional plan for dental and vision coverage for retirees, dependents, surviving spouses, and surviving dependent children.
- Passed by Senate 5.1.2023, passed by House 5.16.23, sent to the Governor 5.29.23, signed by Governor 6.18.23.

- Effective September 1, 2023.

See also **HB 4520 – Staff Related – for loss of retirement consequences due to conviction of harmful material to a minor.**

Vetoed Bills

[SB 1998](#) – Bettencourt – Ad Valorem Tax Rate Calculation Hyperlink and Reinvestment Zone

- Relating to the calculation of certain ad valorem tax rates.
- Requires no-new-revenue tax rate and voter-approval tax rate calculation forms to include a hyperlink for purposes of proving the accuracy of the information.
- Requires a taxing unit to calculate taxable property value for each reinvestment zone they participate in separately.
- Passed by Senate 4.20.2023, passed by House 5.24.23, sent to Governor 5.29.23, vetoed 6.15.23.

[SB 361](#) – Eckhardt - County Appraisal Review Board

- Relating to the eligibility of a person employed by a school district as a teacher to serve on the appraisal review board of an appraisal district.
- Allows a teacher to serve on the county appraisal review board.
- Passed by Senate 4.4.2023, passed by House 5.19.23, vetoed 6.16.23.