

By: Patterson, González of El Paso,  
Dominguez, Allison, Cook

H.B. No. 725

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the eligibility of certain children who are or were in  
3 foster care for free prekindergarten programs in public schools.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 29.153(b), Education Code, is amended to  
6 read as follows:

7 (b) A child is eligible for enrollment in a prekindergarten  
8 class under this section if the child is at least three years of age  
9 and:

10 (1) is unable to speak and comprehend the English  
11 language;

12 (2) is educationally disadvantaged;

13 (3) is homeless, regardless of the residence of the  
14 child, of either parent of the child, or of the child's guardian or  
15 other person having lawful control of the child;

16 (4) is the child of an active duty member of the armed  
17 forces of the United States, including the state military forces or  
18 a reserve component of the armed forces, who is ordered to active  
19 duty by proper authority;

20 (5) is the child of a member of the armed forces of the  
21 United States, including the state military forces or a reserve  
22 component of the armed forces, who was injured or killed while  
23 serving on active duty;

24 (6) is or ever has been in:

1                   (A) the conservatorship of the Department of  
2 Family and Protective Services following an adversary hearing held  
3 as provided by Section 262.201, Family Code; or

4                   (B) foster care in another state or territory, if  
5 the child resides in this state; or

6                   (7) is the child of a person eligible for the Star of  
7 Texas Award as:

8                   (A) a peace officer under Section 3106.002,  
9 Government Code;

10                   (B) a firefighter under Section 3106.003,  
11 Government Code; or

12                   (C) an emergency medical first responder under  
13 Section 3106.004, Government Code.

14           SECTION 2. This Act applies beginning with the 2021-2022  
15 school year.

16           SECTION 3. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2021.