

By: Howard

H.B. No. 395

A BILL TO BE ENTITLED

AN ACT

relating to requiring public schools to use the wet bulb globe temperature to determine whether conditions are unsatisfactory for student outdoor activities due to severe heat.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.025 to read as follows:

Sec. 38.025. USE OF WET BULB GLOBE TEMPERATURE FOR SEVERE HEAT DETERMINATIONS. (a) In this section, "wet bulb globe temperature" means a comprehensive measurement of environmental conditions that accounts for ambient temperature, relative humidity, wind, and solar radiation.

(b) Each school district and open-enrollment charter school shall refer to the wet bulb globe temperature in determining satisfactory or unsatisfactory conditions for outdoor activities, including:

(1) athletic activities;

(2) recess;

(3) extracurricular activities conducted outdoors;

and

(4) any other related activities.

(c) This section does not:

(1) waive any immunity from liability of a school district or open-enrollment charter school or of district or

1 charter school officers or employees; or
2 (2) create any liability for a cause of action against
3 a school district or open-enrollment charter school or against
4 district or charter school officers or employees.

5 SECTION 2. This Act applies beginning with the 2023-2024
6 school year.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2023.