

1-1 By: Bhojani, et al. (Senate Sponsor - Kolkhorst) H.B. No. 1883
 1-2 (In the Senate - Received from the House May 3, 2023;
 1-3 May 5, 2023, read first time and referred to Committee on
 1-4 Education; May 18, 2023, reported favorably by the following vote:
 1-5 Yeas 13, Nays 0; May 18, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to the administration of assessment instruments to public
 1-24 school students on religious holy days.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subchapter B, Chapter 39, Education Code, is
 1-27 amended by adding Section 39.0238 to read as follows:

1-28 Sec. 39.0238. CONSIDERATION OF RELIGIOUS HOLY DAYS IN
 1-29 SCHEDULING ASSESSMENT INSTRUMENTS. (a) In this section,
 1-30 "religious holy day or period of observance" means a holy day or a
 1-31 period of holy days observed by a religion whose places of worship
 1-32 are exempt from property taxation under Section 11.20, Tax Code,
 1-33 including:

- 1-34 (1) All Saints' Day;
- 1-35 (2) Christmas Day;
- 1-36 (3) Diwali;
- 1-37 (4) Eid al-Adha;
- 1-38 (5) Eid al-Fitr;
- 1-39 (6) Good Friday;
- 1-40 (7) Immaculate Conception;
- 1-41 (8) Passover;
- 1-42 (9) Rosh Hashanah;
- 1-43 (10) Vaisakhi;
- 1-44 (11) Holy Thursday;
- 1-45 (12) Reformation Day;
- 1-46 (13) Vesak; and
- 1-47 (14) Yom Kippur.

1-48 (b) The board of trustees of a school district or the
 1-49 governing body of an open-enrollment charter school may consider
 1-50 the dates of religious holy days or periods of observance likely to
 1-51 be observed by the students enrolled in the district or school
 1-52 during the period set by the State Board of Education for the
 1-53 administration of assessment instruments required under Section
 1-54 39.023 in establishing:

- 1-55 (1) the district's or school's calendar for that
 1-56 school year; and
- 1-57 (2) the instructional days within that period on which
 1-58 district or school students are administered the required
 1-59 assessment instruments, provided that the board of trustees or
 1-60 governing body may not exclude more than two instructional days
 1-61 from that period based solely on the occurrence of a single

2-1 religious holy day or period of observance.

2-2 (c) In establishing a school calendar as described in
2-3 Subsection (b), the board of trustees of a school district or the
2-4 governing body of an open-enrollment charter school shall provide
2-5 for alternative dates for the administration of assessment
2-6 instruments required under Section 39.023 to a student who is
2-7 absent from school to observe a religious holy day or period of
2-8 observance on the date an assessment instrument is administered.

2-9 (d) The agency may adopt rules as necessary to ensure a
2-10 student may be administered an assessment instrument on an
2-11 alternative date as necessary to comply with this section.

2-12 SECTION 2. This Act applies beginning with the 2023-2024
2-13 school year.

2-14 SECTION 3. This Act takes effect immediately if it receives
2-15 a vote of two-thirds of all the members elected to each house, as
2-16 provided by Section 39, Article III, Texas Constitution. If this
2-17 Act does not receive the vote necessary for immediate effect, this
2-18 Act takes effect September 1, 2023.

2-19 * * * * *