

1-1 By: Cunningham (Senate Sponsor - Paxton) H.B. No. 3803  
 1-2 (In the Senate - Received from the House May 1, 2023;  
 1-3 May 1, 2023, read first time and referred to Committee on  
 1-4 Education; May 12, 2023, reported favorably by the following vote:  
 1-5 Yeas 13, Nays 0; May 12, 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 allowing parents and guardians to elect for a student to  
 1-24 repeat or retake a course or grade.

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

1-26 SECTION 1. Section 28.02124, Education Code, is amended by  
 1-27 amending Subsection (a) and adding Subsections (a-1) and (a-2) to  
 1-28 read as follows:

1-29 (a) Subject to Subsection (c), a parent or guardian may  
 1-30 elect for a student to:

1-31 (1) repeat prekindergarten;  
 1-32 (2) enroll in prekindergarten, if the student would  
 1-33 have been eligible to enroll in prekindergarten during the previous  
 1-34 school year under Section 29.153(b) and the student has not yet  
 1-35 enrolled in kindergarten;

1-36 (3) repeat kindergarten;  
 1-37 (4) enroll in kindergarten, if the student would have  
 1-38 been eligible to enroll in kindergarten in the previous school year  
 1-39 and has not yet enrolled in first grade; or

1-40 (5) for grades one through eight [~~three~~], repeat the  
 1-41 grade in which the student was enrolled during the previous school  
 1-42 year.

1-43 (a-1) Subject to Subsection (c), for courses taken for high  
 1-44 school credit, a parent or guardian may elect for a student to  
 1-45 repeat any course in which the student was enrolled in during the  
 1-46 previous school year. A parent or guardian may not elect for a  
 1-47 student to repeat a course under this subsection if the school  
 1-48 district or open-enrollment charter school determines the student  
 1-49 has met all of the requirements for graduation.

1-50 (a-2) A parent or guardian may make an election under  
 1-51 Subsection (a)(5) or (a-1), or both.

1-52 SECTION 2. This Act applies beginning with the 2023-2024  
 1-53 school year.

1-54 SECTION 3. This Act takes effect immediately if it receives  
 1-55 a vote of two-thirds of all the members elected to each house, as  
 1-56 provided by Section 39, Article III, Texas Constitution. If this  
 1-57 Act does not receive the vote necessary for immediate effect, this  
 1-58 Act takes effect September 1, 2023.

1-59 \* \* \* \* \*