

By: Springer

S.B. No. 1977

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the eligibility of certain children enrolled in a
3 special education program for free prekindergarten programs in
4 public schools.

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

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

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

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

13 (2) is educationally disadvantaged;

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

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

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

1 (6) is or ever has been in:

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

5 (B) foster care in another state or territory, if
6 the child resides in this state; ~~[or]~~

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

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

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

13 (C) an emergency medical first responder under
14 Section 3106.004, Government Code; or

15 (8) is a child eligible for special education services
16 under Subchapter A and the child's admission, review, and dismissal
17 committee determines the prekindergarten class to be the
18 appropriate placement for the child under the child's
19 individualized education program.

20 SECTION 2. This Act applies beginning with the 2023-2024
21 school year.

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