

By: Cunningham

H.B. No. 1658

A BILL TO BE ENTITLED

AN ACT

relating to access to public school library materials by non-enrolled students.

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

SECTION 1. Subchapter B, Chapter 33, Education Code, is amended by adding Section 33.023 to read as follows:

Sec. 33.023. ACCESS TO SCHOOL LIBRARY MATERIALS BY NON-ENROLLED STUDENT. (a) In this section, "non-enrolled student" means a student who receives instruction as described by Section 29.916(a)(1) from a nonpublic school.

(b) The board of trustees of a school district and the governing body of an open-enrollment charter school may adopt a policy allowing a non-enrolled student who resides in the district or in the geographic area served by the school to access the district's or school's library materials in the same manner that the district or school provides access to students enrolled in the district or school.

(c) A policy adopted under Subsection (b) must require a non-enrolled student who seeks access to a school district's or open-enrollment charter school's library materials to establish minimum proof of residency.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2025.