

BILL ANALYSIS

C.S.H.B. 793
By: Branch
Public Education
Committee Report (Substituted)

BACKGROUND

Under current law, a primary purpose of the public school curriculum is to prepare thoughtful, active citizens who understand the importance of patriotism. In addition, each school is required to fly the United States and Texas flags although schools are not directed to instruct students to acknowledge the flags through the pledges of allegiance.

Currently, school districts are authorized to provide for a period of silence at the beginning of the first class of each school day during which a student may reflect or meditate.

PURPOSE

The purpose of C.S.H.B. 793 is to require school boards to provide, in each school, a minute of silence each school day along with the recitation of the pledges of allegiance to the United States and Texas flags in order to prepare thoughtful, active citizens who understand the importance of patriotism.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, institution.

ANALYSIS

C.S.H.B. 793 amends the Education Code to provide that the board of trustees of each school district shall require students, during each school day, to recite the pledges of allegiance to the United States flag and the state flag in accordance with federal and state statutes. The bill requires school districts, on written request from a student's parent or guardian, to excuse a student from reciting these pledges.

The bill requires that following the recitation of the pledges, the board of trustees of each school district is required to provide for the observance of one minute of silence. The bill provides that during the one-minute period, each student may reflect, pray, meditate, or engage in any other silent and non-disruptive activity. The bill requires that each school employee, in charge of students during that period, ensure that students remain silent.

This Act applies beginning with the 2003-2004 school year.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 793 modifies the original version by amending Section 25.082 rather than adding new sections to the Education Code. C.S.H.B. 793 modifies the original version by not repealing Section 25.082 of the Education Code. C.S.H.B. 793 modifies the original by directing the minute of silence to follow the pledges of allegiance rather than precede them. C.S.H.B. 793 modifies the original bill by omitting the requirement that students stand during the minute of silence.