

By: Homer

H.B. No. 167

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the observance of one minute of silence during the  
3 school day in public schools.

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

5 SECTION 1. Section 25.901, Education Code, is amended to  
6 read as follows:

7 Sec. 25.901. EXERCISE OF CONSTITUTIONAL RIGHT TO PRAY;  
8 OBSERVANCE OF ONE MINUTE OF SILENCE. (a) A public school student  
9 has an absolute right to individually, voluntarily, and silently  
10 pray or meditate in school in a manner that does not disrupt the  
11 instructional or other activities of the school. Except as  
12 provided by Subsection (b), a [A] person may not require,  
13 encourage, or coerce a student to engage in or refrain from such  
14 prayer or meditation during any school activity.

15 (b) The board of trustees of each school district shall  
16 provide for the observance of one minute of silence during each  
17 school day at each school in the district. During that one-minute  
18 period, each student may, as the student chooses, pray, meditate,  
19 or engage in any other silent activity that is not likely to  
20 interfere with or distract another student. Each teacher or other  
21 school employee in charge of students during that period shall  
22 ensure that each of those students remains seated and silent and  
23 does not act in a manner that is likely to interfere with or  
24 distract another student.

1           SECTION 2. This Act applies with the beginning of the  
2 2003-2004 school year.

3           SECTION 3. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2003.