

By: Villarreal

H.B. No. 1137

A BILL TO BE ENTITLED

AN ACT

relating to eligibility for public school prekindergarten classes.

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

SECTION 1. The heading to Section 29.153, Education Code, is amended to read as follows:

Sec. 29.153. FREE PREKINDERGARTEN IN [~~FOR~~] CERTAIN DISTRICTS [~~CHILDREN~~].

SECTION 2. Section 29.153, Education Code, is amended by amending Subsections (a) and (b) and adding Subsection (f) to read as follows:

(a) A district shall offer prekindergarten classes if the district identifies 15 or more children who are [~~eligible under Subsection (b) and are~~] at least three [~~four~~] years of age and who are:

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

(2) educationally disadvantaged; or

(3) homeless, as defined by 42 U.S.C. Section 11302, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child. [A school district may offer prekindergarten classes if the district identifies 15 or more eligible children who are at least three years of age. A district may not charge tuition for a prekindergarten class offered under this section.]

1 (b) A child is eligible for enrollment in a prekindergarten
2 class in a district that offers prekindergarten classes [~~under this~~
3 ~~section~~] if the child is at least three years of age [~~and is~~

4 [~~(1) unable to speak and comprehend the English~~
5 ~~language,~~

6 [~~(2) educationally disadvantaged, or~~

7 [~~(3) homeless, as defined by 42 U.S.C. Section 11302,~~
8 ~~regardless of the residence of the child, of either parent of the~~
9 ~~child, or of the child's guardian or other person having lawful~~
10 ~~control of the child].~~

11 (f) A district may not charge tuition for a prekindergarten
12 class offered under this section.

13 SECTION 3. Section 29.1531, Education Code, is amended by
14 amending Subsection (a) and adding Subsection (a-1) to read as
15 follows:

16 (a) A school district may offer on a tuition basis or use
17 district funds to provide[~~+~~

18 [~~(1)~~] an additional half-day of prekindergarten
19 classes to children eligible for classes under Section 29.153[~~, and~~

20 [~~(2) half-day and full-day prekindergarten classes to~~
21 ~~children not eligible for classes under Section 29.153].~~

22 (a-1) A school district that is not required to offer
23 prekindergarten classes under Section 29.153 may offer
24 prekindergarten classes on a tuition basis or use district funds to
25 provide half-day or full-day prekindergarten classes to all
26 children who are at least three years of age.

27 SECTION 4. This Act applies beginning with the 2003-2004

1 school year.

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