

1-1 By: Wentworth S.B. No. 83  
1-2 (In the Senate - Filed November 12, 2002; January 27, 2003,  
1-3 read first time and referred to Committee on Education;  
1-4 March 27, 2003, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 27, 2003,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 83 By: West

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to pledges of allegiance to the United States and Texas  
1-11 flags and to observance of one minute of silence in public schools.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. The heading to Section 25.082, Education Code,  
1-14 is amended to read as follows:

1-15 Sec. 25.082. SCHOOL DAY; PLEDGES OF ALLEGIANCE; MINUTE OF  
1-16 SILENCE.

1-17 SECTION 2. Section 25.082, Education Code, is amended by  
1-18 amending Subsection (b) and adding Subsections (c) and (d) to read  
1-19 as follows:

1-20 (b) The board of trustees of each school district shall  
1-21 require students, during each school day at each school in the  
1-22 district, to recite:

1-23 (1) the pledge of allegiance to the United States flag  
1-24 in accordance with 4 U.S.C. Section 4, and its subsequent  
1-25 amendments; and

1-26 (2) the pledge of allegiance to the state flag in  
1-27 accordance with Subchapter C, Chapter 3100, Government Code.

1-28 (c) On written request from a student's parent or guardian,  
1-29 a school district shall excuse the student from reciting a pledge of  
1-30 allegiance under Subsection (b).

1-31 (d) The board of trustees of each [A] school district shall  
1-32 [may] provide for the observance of one minute [a period] of silence  
1-33 at each school in the district following the recitation of the  
1-34 pledges of allegiance to the United States and Texas flags under  
1-35 Subsection (b). During the one-minute period, each student may, as  
1-36 the student chooses, [the beginning of the first class of each  
1-37 school day during which a student may] reflect, pray, [or]  
1-38 meditate, or engage in any other silent activity that is not likely  
1-39 to interfere with or distract another student. Each teacher or  
1-40 other school employee in charge of students during that period  
1-41 shall ensure that each of those students remains silent and does not  
1-42 act in a manner that is likely to interfere with or distract another  
1-43 student.

1-44 SECTION 3. This Act applies beginning with the 2003-2004  
1-45 school year.

1-46 SECTION 4. This Act takes effect immediately if it receives  
1-47 a vote of two-thirds of all the members elected to each house, as  
1-48 provided by Section 39, Article III, Texas Constitution. If this  
1-49 Act does not receive the vote necessary for immediate effect, this  
1-50 Act takes effect September 1, 2003.

1-51 \* \* \* \* \*