

By: Guillen

H.B. No. 517

A BILL TO BE ENTITLED

AN ACT

relating to daily physical activity requirements in public schools.

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

SECTION 1. Section 28.002(1), Education Code, is amended to read as follows:

(1) The State Board of Education, after consulting with educators, parents, and medical professionals, by rule may require a student enrolled in kindergarten or a grade level below grade seven in an elementary school setting to participate in daily physical activity as part of a school district's physical education curriculum or through structured activity during a school campus's daily recess, except that the board may not require more than 30 minutes of daily physical activity. If the board adopts rules under this subsection, the board must:

(1) ensure that time spent by a student walking from one classroom to another, walking to or from a school bus, or engaging in other routine activities associated with the school day is not included in determining compliance with the daily physical activity requirement; and

(2) provide for an exemption for a student who is unable to participate in daily physical activity because of illness or disability.

SECTION 2. This Act applies beginning with the 2005-2006 school year.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2005.