

By: Guillen

H.B. No. 2605

Substitute the following for H.B. No. 2605:

By: Delisi

C.S.H.B. No. 2605

A BILL TO BE ENTITLED

AN ACT

relating to eligibility of children with learning disabilities for free public prekindergarten classes.

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

SECTION 1. Section 29.153, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) A child is eligible for enrollment in a prekindergarten class under this section if the child is at least three years of age and ~~is~~:

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

(2) is educationally disadvantaged; ~~or~~

(3) is 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; or

(4) has been diagnosed with a learning disability.

(b-1) The determination of a child's eligibility for enrollment in a prekindergarten class under Subsection (b)(4) does not have the effect of requiring the child to participate in the district's special education program, and the child may enroll in a prekindergarten class without being designated as a student in need of special services under Subchapter A.

1 SECTION 2. This Act applies beginning with the 2005-2006
2 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, 2005.