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S.B. No. 113

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain foster care children to attend 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 (g) 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) unable to speak and comprehend the English language;

(2) educationally disadvantaged;

(3) a homeless child, as defined by 42 U.S.C. Section 11434a [~~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;

(4) the child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority; or

(5) the child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while

1 serving on active duty.

2 (g) A child who is eligible for enrollment in a  
3 prekindergarten class under Subsection (b)(3) because of the  
4 child's placement in foster care or other residential care under  
5 the conservatorship of the Department of Family and Protective  
6 Services remains eligible for enrollment regardless of whether the  
7 child's status under Subsection (b)(3) changes before or after  
8 enrolling in the class.

9 SECTION 2. This Act applies beginning with the 2007-2008  
10 school year.

11 SECTION 3. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2007.