

By: Van de Putte S.B. No. 113
(In the Senate - Filed November 14, 2006; January 29, 2007,
read first time and referred to Committee on Education;
February 7, 2007, reported favorably by the following vote:
Yeas 7, Nays 0; February 7, 2007, sent to printer.)

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
serving on active duty.

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

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

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

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