

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Alonzo, Anchia, Flores, Rodriguez,  
Hernandez

H.B. No. 192

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the absence of a student from school for activities in  
3 connection with obtaining United States citizenship or to visit  
4 with a parent or guardian who will be or has been deployed to a  
5 combat zone.

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

7 SECTION 1. Section 25.087, Education Code, is amended by  
8 amending Subsection (b) and adding Subsections (b-1) and (e) to  
9 read as follows:

10 (b) A school district shall excuse a student from attending  
11 school for:

12 (1) the following purposes, including travel for those  
13 purposes:

14 (A) observing religious holy days; ~~[or]~~

15 (B) attending a required court appearance;

16 (C) appearing at a governmental office to  
17 complete paperwork required in connection with the student's  
18 application for United States citizenship;

19 (D) taking part in a United States naturalization  
20 oath ceremony; or

21 (E) spending time with the student's parent or  
22 guardian, if the parent or guardian has been called to duty for, is  
23 on leave from, or is returning from deployment to a combat zone as a  
24 member of the armed forces of the United States, a reserve component

1 of the armed forces of the United States, or the state military  
2 forces; or

3 (2) a temporary absence resulting from health care  
4 professionals if that student commences classes or returns to  
5 school on the same day of the appointment.

6 (b-1) The board of trustees of each independent school  
7 district shall establish criteria for determining the number of  
8 days a student may receive an excused absence for the purpose  
9 described by Subsection (b)(1)(E).

10 (e) In this section, "combat zone" means an area that the  
11 president of the United States by executive order designates for  
12 purposes of 26 U.S.C. Section 112 as an area in which armed forces  
13 of the United States are or have engaged in combat.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2009.

**ADOPTED**

MAY 25 2009

*Lotay Spaw*  
Secretary of the Senate

By: VandePutte

H.B. No. 192

Substitute the following for H.B. No. 192:

By: VandePutte

C.S. H.B. No. 192

A BILL TO BE ENTITLED

AN ACT

relating to the absence of a student from school for activities in connection with obtaining United States citizenship.

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

SECTION 1. Section 25.087, Education Code, is amended by amending Subsection (b) and adding Subsection (b-3) to read as follows:

(b) A school district shall excuse a student from attending school for:

(1) the following purposes, including travel for those purposes:

(A) observing religious holy days; [~~or~~]

(B) attending a required court appearance;

(C) appearing at a governmental office to complete paperwork required in connection with the student's application for United States citizenship; or

(D) taking part in a United States naturalization oath ceremony; or

(2) a temporary absence resulting from health care professionals if that student commences classes or returns to school on the same day of the appointment.

SECTION 2. 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, 2009.

**ADOPTED**

MAY 25 2009

*Atty Gen*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

*Vandi Potts*

1 Amend C.S.H.B. No. 192 (senate committee report) in SECTION 1  
2 of the bill by striking the recital (page 1, lines 13-15) and  
3 substituting the following:

4 Section 25.087(b), Education Code, is amended to read as  
5 follows:

FLOOR AMENDMENT NO. 2

**ADOPTED**

MAY 25 2009

BY

*Robert R. Hines*

*Antony Spaul*  
Secretary of the Senate

1 Amend C.S.H.B. No. 192 (Senate Committee report) in SECTION  
2 1 of the bill, immediately following Subdivision (2) of amended  
3 Section 25.087(b), Education Code (page 1, between lines 29 and  
4 30), by inserting the following:

5 (b-3) A temporary absence for purposes of Subsection  
6 (b)(2) includes the temporary absence of a student diagnosed  
7 with autism spectrum disorder on the day of the student's  
8 appointment with a health care practitioner, as described by  
9 Section 1355.015(b), Insurance Code, to receive a generally  
10 recognized service for persons with autism spectrum disorder,  
11 including applied behavioral analysis, speech therapy, and  
12 occupational therapy.

16

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 28, 2009**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB192** by Alonzo (relating to the absence of a student from school for activities in connection with obtaining United States citizenship. ), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would expand the definition of excused absences to include absence for the purpose of appearing at a governmental office to complete paperwork related to applying for U.S. citizenship or taking part in a U.S. naturalization oath ceremony, including travel for that purpose. Students whose absences for these purposes are excused would be counted as if in attendance for the purpose of calculating average daily attendance (ADA).

Student absence data is not reported by reason for absence, so the actual actual number of additional days that would be counted as attendance for ADA purposes under the bill is not readily available. However, the absences addressed under the bill are assumed currently to represent a relatively small proportion of total absences; as a result, the effect of the additional days counted as attendance would not be anticipated to significantly affect state cost under the Foundation School Program.

The bill would also add Section 25.087(b-3), Education Code to clarify that an excused absence includes a temporary absence during the school day of a student diagnosed with autism spectrum disorder to attend an appointment with a health care practitioner to receive a generally recognized service for persons diagnosed with autism spectrum disorder. Current law provides in general for an excused absence of a student's temporary absence to attend an appointment with a health care professional if the student begins classes or returns to school on the same day of the appointment.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 701 Central Education Agency

**LBB Staff:** JOB, JSp

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 20, 2009**

**TO:** Honorable Florence Shapiro, Chair, Senate Committee on Education

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB192** by Alonzo (relating to the absence of a student from school for activities in connection with obtaining United States citizenship. ), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would expand the definition of excused absences to include absence for the purpose of appearing at a governmental office to complete paperwork related to applying for U.S. citizenship or taking part in a U.S. naturalization oath ceremony, including travel for that purpose. Students whose absences for these purposes are excused would be counted as if in attendance for the purpose of calculating average daily attendance (ADA).

Student absence data is not reported by reason for absence, so the actual actual number of additional days that would be counted as attendance for ADA purposes under the bill is not readily available. However, the absences addressed under the bill are assumed currently to represent a relatively small proportion of total absences; as a result, the effect of the additional days counted as attendance would not be anticipated to significantly affect state cost under the Foundation School Program.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 701 Central Education Agency

**LBB Staff:** JOB, JSp



**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**May 12, 2009**

**TO:** Honorable Florence Shapiro, Chair, Senate Committee on Education

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB192** by Alonzo (Relating to the absence of a student from school for activities in connection with obtaining United States citizenship or to visit with a parent or guardian who will be or has been deployed to a combat zone.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would expand the definition of excused absences to include absence for the purpose of appearing at a governmental office to complete paperwork related to applying for U.S. citizenship or taking part in a U.S. naturalization oath ceremony, including travel for that purpose. Students whose absences for these purposes are excused would be counted as if in attendance for the purpose of calculating average daily attendance (ADA).

Student absence data is not reported by reason for absence, so the actual actual number of additional days that would be counted as attendance for ADA purposes under the bill is not readily available. However, the absences addressed under the bill are assumed currently to represent a relatively small proportion of total absences; as a result, the effect of the additional days counted as attendance would not be anticipated to significantly affect state cost under the Foundation School Program.

To the extent that some unexcused absences may currently occur due to students spending time with parents or guardians who are deployed, the Texas Education Agency anticipates that there could be a slight increase in state funding under the Foundation School Program for the days of excused absence that would be allowed under the bill for that purpose. However, the slight change in student attendance and associated state aid are not anticipated to be significant on a statewide basis.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 701 Central Education Agency

**LBB Staff:** JOB, JSp

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 17, 2009**

**TO:** Honorable Rob Eissler, Chair, House Committee on Public Education

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB192** by Alonzo (Relating to the absence of a student from school for activities in connection with obtaining United States citizenship.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would expand the definition of excused absences to include absence for the purpose of appearing at a governmental office to complete paperwork related to applying for U.S. citizenship or taking part in a U.S. naturalization oath ceremony, including travel for that purpose. Students whose absences for these purposes are excused would be counted as if in attendance for the purpose of calculating average daily attendance (ADA).

Student absence data is not reported by reason for absence, so the actual actual number of additional days that would be counted as attendance for ADA purposes under the bill is not readily available. However, the absences addressed under the bill are assumed currently to represent a relatively small proportion of total absences; as a result, the effect of the additional days counted as attendance would not be anticipated to significantly affect state cost under the Foundation School Program.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 701 Central Education Agency

**LBB Staff:** JOB, JSp