

BILL ANALYSIS

H.B. 308
By: Bohac
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law does not define traditional winter celebrations or provide for school districts, administrators, teachers, and students to celebrate on school property with displays associated with those holidays, including menorahs, Christmas trees, and nativity scenes. Interested parties observe that Christmas has long been recognized as an official federal holiday and that various court rulings have made it clear that it is permissible for a governmental entity to acknowledge Christmas for historical and cultural purposes as a traditional winter celebration and as a national holiday, including the use of seasonal greetings and the display of a nativity scene and Christmas trees along with other religious and nonreligious symbols. H.B. 308 seeks to provide for a school district's recognition of and education regarding traditional winter celebrations.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 308 amends the Education Code to authorize a school district to educate students about the history of traditional winter celebrations and allow students and district staff to offer traditional greetings regarding the celebrations, including "Merry Christmas," "Happy Hanukkah," and "happy holidays." The bill authorizes a school district to display on school property scenes or symbols associated with traditional winter celebrations, including a menorah or a Christmas image such as a nativity scene or Christmas tree, if the display includes a scene or symbol of more than one religion or one religion and at least one secular scene or symbol. The bill prohibits such a display from including a message that encourages adherence to a particular religious belief. The bill's provisions apply beginning with the 2013-2014 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.