

By: Farney, Branch, Thompson of Harris,
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H.B. No. 773

A BILL TO BE ENTITLED

AN ACT

relating to a requirement that students at an open-enrollment charter school recite the pledges of allegiance to the United States flag and the state flag.

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

SECTION 1. Sections 25.082(b), (c), and (d), Education Code, are amended to read as follows:

(b) The board of trustees of each school district and the governing board of each open-enrollment charter school shall require students, once during each school day at each campus [~~school in the district~~], to recite:

(1) the pledge of allegiance to the United States flag in accordance with 4 U.S.C. Section 4[, ~~and its subsequent amendments~~]; and

(2) the pledge of allegiance to the state flag in accordance with Subchapter C, Chapter 3100, Government Code.

(c) On written request from a student's parent or guardian, a school district or open-enrollment charter school shall excuse the student from reciting a pledge of allegiance under Subsection (b).

(d) The board of trustees of each school district and the governing board of each open-enrollment charter school shall provide for the observance of one minute of silence at each campus [~~school in the district~~] following the recitation of the pledges of

1 allegiance to the United States and Texas flags under Subsection
2 (b). During the one-minute period, each student may, as the student
3 chooses, reflect, pray, meditate, or engage in any other silent
4 activity that is not likely to interfere with or distract another
5 student. Each teacher or other school employee in charge of
6 students during that period shall ensure that each of those
7 students remains silent and does not act in a manner that is likely
8 to interfere with or distract another student.

9 SECTION 2. This Act applies beginning with the 2013-2014
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, 2013.