

SENATE AMENDMENTS

2nd Printing

By: Farney, Branch, Thompson of Harris,
Smithee, et al.

H.B. No. 773

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a requirement that students at an open-enrollment
3 charter school recite the pledges of allegiance to the United
4 States flag and the state flag.

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

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

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

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

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

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

21 (d) The board of trustees of each school district and the
22 governing board of each open-enrollment charter school shall
23 provide for the observance of one minute of silence at each campus
24 [~~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.

ADOPTED

FLOOR AMENDMENT NO. 1

MAY 16 2013

BY:


Secretary of the Senate

Amend H.B. No. 773 (senate committee report) as follows:

(1) In the recital of SECTION 1 of the bill (page 1, lines 23 and 24) strike "Sections 25.082(b), (c), and (d), Education Code, are amended" and substitute "Section 25.082, Education Code, is amended by amending Subsections (b), (c), and (d) and adding Subsection (b-1)".

(2) In SECTION 1 of the bill, after amended Section 25.082(b), Education Code (page 1, between lines 33 and 34), insert the following:

(b-1) The board of trustees of each school district and the governing board of each open-enrollment charter school shall require that the United States and Texas flags be prominently displayed in each campus classroom in accordance with 4 U.S.C. Sections 5-10 and Chapter 3100, Government Code. Each flag must be at least ~~one foot by two feet~~ ^{two feet by three} feet. A district or school may raise money or accept gifts, grants, and donations to purchase flags as required under this subsection. This subsection applies beginning with the 2016-2017 school year.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 17, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB773 by Farney (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.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

The bill would require the governing board of an open-enrollment charter school to adopt policies requiring students to recite the pledges to the United States and Texas flags, and provide for a moment of silence after reciting the pledges.

The bill would require each board of trustees of a school district and the governing board of an open-enrollment charter school to require the United States and Texas flags to be prominently displayed in each classroom. Each flag would be required to be at least two feet by three feet. A district or charter school could raise money and accept gifts, grants, and donations to purchase the required flags. This subsection would apply beginning with the 2016-2017 school year.

Local Government Impact

There may be costs to comply with the requirements of the flag size for some school districts and open-enrollment charter schools. School districts and charter schools could raise funds and accept gifts, donations, and grants to defray the cost of purchasing flags. The provisions related to the flags would not apply until the 2016-2017 school year. Once the appropriate sized flags were purchased, it is assumed that costs would be minimal to maintain the required flags in each classroom.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 8, 2013

TO: Honorable Dan Patrick, Chair, Senate Committee on Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB773 by Farney (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.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 25, 2013

TO: Honorable Jimmie Don Aycocock, Chair, House Committee on Public Education

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB773 by Farney (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.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 701 Central Education Agency

LBB Staff: UP, JBi, JSc