

By: Martinez Fischer

H.B. No. 124

A BILL TO BE ENTITLED

AN ACT

relating to the availability of free prekindergarten programs in public schools.

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

SECTION 1. Sections 29.153(a-1), (b), and (f), Education Code, are amended to read as follows:

(a-1) A district shall offer prekindergarten classes if the district identifies 15 or more children who are ~~[eligible under Subsection (b) and are]~~ at least four years of age. A school district may offer prekindergarten classes if the district identifies 15 or more ~~[eligible]~~ children who are eligible under Subsection (b)(1) and are at least three years of age. A district may not charge tuition for a prekindergarten class offered under this section.

(b) A child is eligible for enrollment in a prekindergarten class under this section if the child is:

(1) at least three years of age and:

(A) ~~[(1)]~~ is unable to speak and comprehend the English language;

(B) ~~[(2)]~~ is educationally disadvantaged;

(C) ~~[(3)]~~ is a homeless child, as defined by 42 U.S.C. Section 11434a, 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;

1 (D) [~~(4)~~] is the child of an active duty member
2 of the armed forces of the United States, including the state
3 military forces or a reserve component of the armed forces, who is
4 ordered to active duty by proper authority;

5 (E) [~~(5)~~] is the child of a member of the armed
6 forces of the United States, including the state military forces or
7 a reserve component of the armed forces, who was injured or killed
8 while serving on active duty; or

9 (F) [~~(6)~~] is or ever has been in the
10 conservatorship of the Department of Family and Protective Services
11 following an adversary hearing held as provided by Section [262.201](#),
12 Family Code; or

13 (2) at least four years of age.

14 (f) A child who is eligible for enrollment in a
15 prekindergarten class under Subsection (b)(1)(D) or (E) [~~(b)(4) or~~
16 ~~(5)~~] remains eligible for enrollment if the child's parent leaves
17 the armed forces, or is no longer on active duty, after the child
18 begins a prekindergarten class.

19 SECTION 2. Section [29.1532](#)(c), Education Code, is amended
20 to read as follows:

21 (c) A school district that offers prekindergarten classes
22 shall include the following information in the district's Public
23 Education Information Management System (PEIMS) report:

24 (1) demographic information, as determined by the
25 commissioner, on students enrolled in district prekindergarten
26 classes, including the number of students who are eligible for
27 classes under Section [29.153\(b\)\(1\) or \(f\)](#) [~~[29.153](#)~~];

1 (2) the numbers of half-day and full-day
2 prekindergarten classes offered by the district; and

3 (3) the sources of funding for the prekindergarten
4 classes.

5 SECTION 3. Section [29.153\(d\)](#), Education Code, is repealed.

6 SECTION 4. This Act applies beginning with the 2019-2020
7 school year.

8 SECTION 5. This Act takes effect August 1, 2019.