

BILL ANALYSIS

Senate Research Center
87R18643 GCB-D

C.S.S.B. 797
By: Hughes
State Affairs
4/8/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The phrase "In God We Trust" has been prominent in American public life since 1864, when it was first placed on an American coin. Since that time, it has been used in near-unbroken fashion on American coinage and became the official motto of the United States on July 30, 1956, when President Eisenhower signed Public Law 84-140.

After the terrorist attacks on September 11, 2001, states began enacting legislation to allow or require the display of the national motto in public buildings, with an emphasis on public schools. According to a National Conference of State Legislatures report, 19 states had enacted such legislation by September 2019. Nine states allow the display of the motto, nine states require the display of the motto, and one state requires the display if the motto is donated. Texas law currently allows the display, and S.B. 797 will require the display if the motto is donated or purchased from private donations.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 797 amends current law relating to the display of the national motto in public schools and institutions of higher education.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1.004, Education Code, as follows:

Sec. 1.004. DISPLAY OF NATIONAL MOTTO. (a) Creates this subsection from existing text. Requires, rather than authorizes, a public elementary or secondary school or an institution of higher education as defined by Section 61.003 (Definitions) to display in a conspicuous place in each building of the school or institution a durable poster or framed copy of the United States national motto, "In God We Trust," if the poster or framed copy meets the requirements of Subsection (b) and is donated for display at the school or institution, or purchased from private donations and made available to the school or institution. Deletes existing text authorizing a public school or institution of higher education to display the United States national motto, "In God We Trust," in each classroom, auditorium, and cafeteria.

(b) Provides that a poster or framed copy of the national motto described by Subsection (a):

(1) is required to contain a representation of the United States flag centered under the national motto and a representation of the state flag; and

(2) is prohibited from depicting any words, images, or other information other than the representations listed in Subdivision (1).

(c) Authorizes a public elementary or secondary school and an institution of higher education to accept and use private donations for the purposes of Subsection (a).

SECTION 2. Effective date: upon passage or September 1, 2021.