

BILL ANALYSIS

C.S.H.B. 5167
By: Wilson
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Perla Hopkins, Texas educator and U.S. Air Force veteran, requested changes to the Interstate Compact on Educational Opportunity for Military Children based on concerns shared by military families. C.S.H.B. 5167 seeks to establish additional protections for certain military dependents in Texas under the compact.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.H.B. 5167 amends the Education Code to establish that provisions regarding educational records and enrollment, placement and attendance in educational courses, eligibility for enrollment, and graduation of the Interstate Compact on Educational Opportunity for Military Children apply as follows:

- to a child of a veteran of the uniformed services who was discharged or released through retirement, for a period of four years after the date of the veteran's retirement, if the veteran returns to the veteran's home of record on military orders; and
- to a child of a member of the uniformed services who dies on active duty or as a result of injuries sustained on active duty, for a period of four years after the member's death.

The bill requires each public school district and open-enrollment charter school that maintains a website to post on the district's or charter school's website an easily accessible link to information regarding the compact and the additional protections provided by the bill.

C.S.H.B. 5167 defines "uniformed services" as the U.S. Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard, the Commissioned Corps of the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the United States Public Health Service.

C.S.H.B. 5167 applies beginning with the 2023-2024 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 5167 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The introduced made the following changes by amending the Education Code provisions that set out the Interstate Compact on Educational Opportunity for Military Children:

- increased the period during which provisions of the compact apply to the children of members or veterans of the uniformed services who are retired from one year after retirement to up to four years after retirement if the veteran returns to home of record;
- increased the period during which provisions of the compact apply to the children of members of the uniformed services who die on active duty or as a result of injuries sustained on active duty from one year after death to four years after death; and
- required an MIC3 tab to be placed on Texas Education Agency and each local education Agency website to make the compact easily accessible to military families and district personnel.

The substitute does not amend those Education Code provisions from the introduced and only includes provisions from the introduced establishing the applicability of its provisions beginning with the 2023-2024 school year and establishing the bill's effective date. Instead, the substitute adds new provisions in the Education Code, which do the following:

- establish that the compact's provisions regarding educational records and enrollment, placement and attendance in educational courses, eligibility for enrollment, and graduation apply to the following children:
 - a child of a veteran of the uniformed services who was discharged or released through retirement, for a period of four years after the date of the veteran's retirement, if the veteran returns to the veteran's home of record on military orders; and
 - a child of a member of the uniformed services who dies on active duty or as a result of injuries sustained on active duty, for a period of four years after the member's death;
- require each district and charter school that maintains a website to post on the website an easily accessible link to information regarding the compact and the additional protections provided by the bill; and
- define "uniformed services" and "compact."