

## **BILL ANALYSIS**

Senate Research Center  
88R965 KJE-D

S.B. 164  
By: Campbell  
Education  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In 2019 the Institute for Citizens and Scholars, formally known as the Woodrow Wilson National Fellowship Foundation, found that only 37 percent of Texans could pass the United States citizenship exam. A fundamental understanding of the founding principles of our nation's government, including knowledge of the separation of powers and how laws are made, is essential to the ability of citizens to fully participate in our democracy. It is the state's responsibility to provide an educational foundation for our children that prepares them for the workforce and empowers them to be good citizens who can contribute to our nation's prosperity.

S.B. 164 would require that every independent school district and open-enrollment charter school that offers a high school program, offer an elective course on America's founding principles. The bill also requires that all independent school district board of trustees permit and encourage the posting of America's founding documents on their high school campuses.

S.B. 164:

- Amends Section 1.004 of the Education Code to require public elementary or secondary schools to display the founding documents of the United States. These documents include the United States Declaration of Independence, the United States Constitution, and Essays 10 and 57 of the Federalist Papers.
- Adds Section 28.0111 to Chapter 28 of the Education Code to require high schools to offer an elective course that focuses on the founding principals of the United States to include the United States form of government, the Declaration of Independence, the United States Constitution, the Federalist Papers, and the writings of the founding fathers of the United States.
- This is a refile from last session.

As proposed, S.B. 164 amends current law relating to the display of the national motto and the founding documents of the United States in public schools and the inclusion of an elective course on the founding principles of the United States in the curriculum for public high school students.

### **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. New heading: DISPLAY OF NATIONAL MOTTO AND FOUNDING DOCUMENTS. (a) Requires a public elementary or secondary school, rather than 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 a durable poster or framed copy of the United States national motto, "In God We Trust," and the founding documents of the United States if the poster or framed copy

meets the requirements of Subsection (b) and is donated for display at the school or purchased from private donations and made available to the school. Makes conforming changes.

(a-1) Defines "founding documents of the United States."

(b) Provides that a poster or framed copy, rather than a poster or framed copy of the national motto, described in Subsection (a):

(1) is required to contain:

(A) the national motto, a representation of the United States flag centered under the national motto, and a representation of the state flag;

(B) one or more of the founding documents of the United States; or

(C) both the items described by Paragraph (A) and one or more of the items described by Paragraph (B); and

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

(c) Makes a conforming change to this subsection.

SECTION 2. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.0111, as follows:

Sec. 28.0111. FOUNDING PRINCIPLES ELECTIVE. (a) Requires each school district and open-enrollment charter school that offers a high school program to provide an elective course on the founding principles of the United States that meets the requirements for a one-half elective credit under Section 28.025 (High School Diploma and Certificate; Academic Achievement Record).

(b) Requires that the course focus on the principles underlying the United States form of government, the Declaration of Independence, the United States Constitution, the Federalist Papers, and the writings of the founding fathers of the United States.

SECTION 3. Provides that Section 28.0111, Education Code, as added by this Act, applies beginning with the 2024–2025 school year.

SECTION 4. Effective date: upon passage or September 1, 2023.