

## **BILL ANALYSIS**

S.B. 1515  
By: King  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In *Stone v. Graham*, the U.S. Supreme Court held that a Kentucky law requiring the posting of the Ten Commandments in public school classrooms violated the Establishment Clause of the First Amendment through the use of the three-pronged *Lemon* test. However, the court, in its majority opinion in *Kennedy v. Bremerton School District* last year, held that the Establishment Clause must be interpreted by reference to historical practices and understandings, rather than through the use of the *Lemon* test. S.B. 1515 seeks to remind students all across Texas of the importance of a fundamental foundation of American and Texas law by providing for the display of the Ten Commandments in public elementary and secondary schools.

### **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**

S.B. 1515 amends the Education Code to require a public elementary or secondary school to display in a conspicuous place in each classroom of the school a durable poster or framed copy of the Ten Commandments. The poster or framed copy must:

- be at least 16 inches wide and 20 inches tall; and
- include the text of the Ten Commandments as specified by the bill in a size and typeface that is legible to a person with average vision from anywhere in the classroom in which the poster or framed copy is displayed.

The text of the poster or framed copy of the Ten Commandments must read as follows: "The Ten Commandments I AM the LORD thy God. Thou shalt have no other gods before me. Thou shalt not make to thyself any graven images. Thou shalt not take the Name of the Lord thy God in vain. Remember the Sabbath day, to keep it holy. Honor thy father and thy mother, that thy days may be long upon the land which the Lord thy God giveth thee. Thou shalt not kill. Thou shalt not commit adultery. Thou shalt not steal. Thou shalt not bear false witness against thy neighbor. Thou shalt not covet thy neighbor's house. Thou shalt not covet thy neighbor's wife, nor his manservant, nor his maidservant, nor his cattle, nor anything that is thy neighbor's."

S.B. 1515 requires a public elementary or secondary school in which each classroom does not include a poster or framed copy of the Ten Commandments to do the following:

- accept any offer of a privately donated poster or framed copy of the Ten Commandments provided that the poster or copy meets the bill's requirements and does not contain any additional content; and

- display the poster or framed copy in accordance with the bill's requirements.

S.B. 1515 authorizes a public elementary or secondary school that has a poster or framed copy of the Ten Commandments in each classroom that does not meet the bill's requirements to replace the posters or copies with posters or copies that meet the requirements using public funds or by accepting a private donation. The bill requires a public elementary or secondary school that has a durable poster or framed copy of the Ten Commandments in the school's possession that is not needed for display in a classroom to offer the poster or copy as a donation to another public elementary or secondary school.

S.B. 1515 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.