88R13509 GCB-D

By:  Leach H.B. No. 4580

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the denial of public benefits for certain students enrolled in a private school operated by a religious organization or providing religious instruction.

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

SECTION 1.  Chapter 1, Education Code, is amended by adding Section 1.0021 to read as follows:

Sec. 1.0021.  DENIAL OF PUBLIC BENEFIT PROHIBITED. (a) In this section, "private school" has the meaning assigned by Section 5.001.

(b)  Notwithstanding any provision of state or federal law to the contrary and in accordance with *Carson v. Makin*, 142 S. Ct. 1987 (2022), a public benefit provided under Title 2 of this code that is made available to a student enrolled in a private school may not be denied by the state, a political subdivision of the state, a state agency, or any educational institution solely because that private school is operated by a religious institution or otherwise provides a religious curriculum or a religion-based course of instruction.

SECTION 2.  This Act takes effect September 1, 2023.