A BILL TO BE ENTITLED

AN ACT

relating to prohibiting face covering mandates for public school
students, prohibiting public schools from requiring students to
provide documentation regarding certain vaccinations, and allowing
public schools to screen students regarding certain infections.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is
amended by adding Section 38.0021 to read as follows:

Sec. 38.0021. FACE COVERING MANDATE PROHIBITED.

Notwithstanding any other law, a student in any grade level from
kindergarten through grade 12 may not be required to wear a face
mask or face covering to prevent the spread of an infectious disease
as a condition of the student's admission to, continued enrollment
in, or attendance at any public school in this state.

SECTION 2. Section 161.0085, Health and Safety Code, is
amended by adding Subsection (b-1) and amending Subsection (e) to
read as follows:

(b-1) A school district or open-enrollment charter school
may not require a student to provide any documentation certifying
the student's COVID-19 vaccination status or post-transmission
recovery to allow the student entry to, to gain access to, or to
receive educational services from the district or school.

(e) This section may not be construed to:

(1) restrict a business, school district, or
open-enrollment charter school from implementing COVID-19 screening and infection control protocols in accordance with state and federal law to protect public health; or

(2) interfere with an individual's right to access the individual's personal health information under federal law.

SECTION 3. This Act applies beginning with the 2023-2024 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.