

By: Goodwin

H.B. No. 2831

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the terminology used to refer to certain disabilities
3 in determining eligibility for special education services in public
4 schools.

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

6 SECTION 1. Section 29.003, Education Code, is amended by
7 amending Subsection (b) and adding Subsection (c) to read as
8 follows:

9 (b) A student is eligible to participate in a school
10 district's special education program if the student:

11 (1) is not more than 21 years of age and has a visual or
12 auditory impairment that prevents the student from being adequately
13 or safely educated in public school without the provision of
14 special services; or

15 (2) is at least three but not more than 21 years of age
16 and has one or more of the following disabilities that prevents the
17 student from being adequately or safely educated in public school
18 without the provision of special services:

- 19 (A) physical disability;
20 (B) intellectual or developmental disability;
21 (C) emotional dysregulation [~~disturbance~~];
22 (D) learning disability;
23 (E) autism;
24 (F) speech disability; or

1 (G) traumatic brain injury.

2 (c) In this section, "emotional dysregulation" has the
3 meaning assigned to the term "emotional disturbance" by 34 C.F.R.
4 Section 300.8(c)(4).

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