**BILL ANALYSIS**

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| Senate Research Center | H.B. 1481 |
| 89R21338 CMO-D | By: Fairly et al. (Creighton) |
|  | Education K-16 |
|  | 5/9/2025 |
|  | Engrossed |

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

According to an article published by Johns Hopkins University, states such as Florida, Indiana, Ohio, South Carolina, and Louisiana have recently passed laws restricting cell phone use in schools, as research suggests that cell phone usage may be contributing to a mental health crisis among youth, affecting students' attention spans and stymying their social development. Furthermore, the Pew Research Center found that 68 percent of adults in the United States support a ban on middle and high school students using cell phones during classes. H.B. 1481 aims to mitigate the negative effects of a student's use of personal communication devices by requiring public school districts and open-enrollment charter schools to prohibit different types of personal communication devices, including cell phones, in order to create a more focused, engaging, and safe learning environment for students.

H.B. 1481 amends current law relating to school district and open-enrollment charter school policies regarding student use of personal communication devices.

**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 37.082, Education Code, as follows:

Sec. 37.082. New heading: STUDENT USE OF PERSONAL COMMUNICATION DEVICES. (a) Requires the board of trustees of a school district or the governing body of an open-enrollment charter school, notwithstanding any other law and subject to Subsection (c), to adopt, implement, and ensure the district or school complies with a written policy prohibiting a student from using a personal communication device while on school property during the school day. Provides that the policy is required, rather than authorized, to establish disciplinary measures to be imposed for violation of the prohibition and is authorized to provide for the confiscation of the personal communication device.

Deletes existing text authorizing the board of trustees of a school district to adopt a policy prohibiting a student from possessing a paging device while on school property or while attending a school-sponsored or school-related activity on or off school property. Makes a conforming change.

(b) Authorizes the policy to provide for the school district or open-enrollment charter school to:

(1) comply with this section by prohibiting a student from bringing a personal communication device on school property or designating a method for the storage of a student's personal communication device while the student is on school property during the school day; and

(2) dispose of a confiscated personal communication device in any reasonable manner after having provided the student's parent 90 days', rather than the student's parent and the company whose name and address or telephone number appear on the device 30 days', prior notice in writing of the district's or school's intent to dispose of that device. Creates this subdivision from existing text.

Deletes existing text providing that the notice is required to include the serial number of the device and is authorized to be made by telephone, telegraph, or in writing and charge the owner of the device or the student's parent an administrative fee not to exceed $15 before it releases the device. Makes conforming and nonsubstantive changes.

(c) Requires the board of trustees of a school district or governing body of an open-enrollment charter school, in adopting the policy, to authorize the use of a personal communication device necessary to implement an individualized education program, a plan created under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794) or a similar program or plan, by a student with a documented need based on a directive from a qualified physician, or necessary to comply with a health or safety requirement imposed by law or as part of the district's or school's safety protocols.

(d) Creates this subsection from existing text. Defines "personal communication device" and deletes existing text defining "paging device."

(e) Requires the Texas Education Agency (TEA) to develop and publish on TEA's Internet website model language for the policy required under this section.

(f) Provides that this section does not apply to an adult education program operated under a charter granted under Subchapter G (Adult High School Charter School Program), Chapter 12 (Charters).

SECTION 2. Requires the board of trustees of a school district and the governing body of an open-enrollment charter school, as soon as practicable, but not later than the 90th day after the effective date of this Act, to adopt the policy required by Section 37.082, Education Code, as amended by this Act.

SECTION 3. Effective date: upon passage or September 1, 2025.