

## **BILL ANALYSIS**

H.B. 367  
By: Rosenthal  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In 2021, the 87th Texas Legislature enacted H.B. 699, which required public school districts to excuse a student from attending school for an absence resulting from a serious or life-threatening illness or related treatment. The bill author has informed the committee that, while the legislation has achieved the intended goal of excusing these medically vulnerable students, there is some confusion regarding what exactly is required for an applicable absence to be excused. H.B. 367 seeks to address this issue by simplifying the process for verifying these excused absences with the use of a form and clarifying the law so that all involved parties understand their responsibilities.

### **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**

H.B. 367 amends the Education Code to revise the conditions under which a public school district must excuse a student from attending school for an absence resulting from a serious or life-threatening illness or related treatment that makes the student's attendance infeasible by doing the following:

- requiring each district to adopt a form to be used by such a student or their parent or guardian in providing the requisite certification of the illness from a licensed physician;
- prohibiting a district from requiring the student or their parent or guardian to provide more documentation or information than is required by the form; and
- requiring the certification to include the following statements, in addition to a specification of the student's illness and the anticipated period of absence as required under current law, and clarifying that this information is determined by the physician:
  - a statement that the illness is serious or life-threatening; and
  - a statement that the illness makes the student's attendance infeasible during the anticipated period of absence.

The bill requires each district to adopt the form as soon as practicable after the bill's effective date.

H.B. 367 applies beginning with the 2025-2026 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.