

## **BILL ANALYSIS**

Senate Research Center

H.B. 2674  
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Education K-16  
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Engrossed

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

This legislation seeks to reaffirm and protect the rights of parents who choose to educate their children at home by explicitly prohibiting the Texas Education Agency (TEA), the State Board of Education (SBOE), and public educational institutions from adopting rules that would increase regulation of homeschool programs in Texas. The bill adds a new section to the Education Code—Section 1.010—which clearly restricts these entities from enacting policies that place additional oversight or administrative burdens on homeschooling families.

#### Problem Being Addressed:

Homeschooling in Texas has traditionally enjoyed broad legal protections and minimal state oversight. However, there is growing concern among homeschooling families and advocacy organizations that regulatory creep or future policy changes could erode their autonomy. This bill addresses those concerns by preemptively prohibiting any regulatory expansion, thereby preserving parental rights and educational freedom in homeschooling.

#### Current Law:

Under current Texas law, homeschools are considered a form of private education and are largely unregulated, provided they include instruction in certain basic subjects and are conducted in a bona fide manner. The state does not require homeschool families to register with or report to TEA or to local school districts. However, current statute does not explicitly bar TEA, SBOE, or other public education entities from proposing or implementing additional regulations in the future.

#### How the Bill Changes Current Law:

H.B. 2674 creates a statutory prohibition that strengthens existing legal precedent by making it unlawful for TEA, SBOE, or public educational institutions to adopt any rules that would increase regulation of homeschool programs. This effectively codifies the state's hands-off approach to homeschooling and prevents future rulemaking that could infringe on homeschool autonomy.

#### Conclusion:

H.B. 2674 ensures that homeschooling in Texas remains free from increased government regulation. By codifying a clear prohibition against rulemaking that expands oversight of homeschool programs, the bill protects educational freedom and parental rights while maintaining the state's longstanding respect for home-based education.

H.B. 2674 amends current law relating to prohibiting the regulation of home school programs.

### **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 Chapter 1, Education Code, by adding Section 1.010, as follows:

Sec. 1.010. PROHIBITION ON REGULATION OF HOME SCHOOLS. Prohibits the Texas Education Agency, the State Board of Education, or any other educational institution described by Section 1.001(a) (relating to providing that the Education Code applies to all educational institutions supported in whole or in part by state tax funds unless specifically excluded by this code) from adopting a rule or policy that regulates an educational program of a home school.

SECTION 2. Provides that this Act applies beginning with the 2025–2026 school year.

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