

BILL ANALYSIS

H.B. 2849
By: Allen
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that childhood obesity is an increasingly pervasive problem across Texas and, considering the amount of time children spend in school during the early years of life, schools are an ideal setting in which to counter childhood obesity by promoting health and fostering physical activity. H.B. 2849 seeks to address this problem by providing for the development and implementation of recess policies in public schools that encourage constructive, age-appropriate outdoor playtime.

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. 2849 amends the Education Code to require the Department of State Health Services School Health Advisory Committee, not later than January 1, 2026, to develop model policies for the recess period during the school day that encourage constructive, age-appropriate outdoor playtime. The bill requires those model policies to include guidelines for outdoor equipment and facilities on public school campuses that maximize the effectiveness of outdoor physical activity. The bill requires each public school district's board of trustees to adopt a district recess policy not later than May 1, 2026, and sets out the following requirements with respect to such a policy:

- the policy must be based on the advisory committee's model policies and the policy recommendations of the applicable local school health advisory council concerning the importance of daily recess;
- each board must review and, if necessary, revise the recess policy at least every five years;
- the policy must specify the required number of minutes of weekly unstructured playtime and whether a student's recess time may be withheld as a form of student discipline; and
- each district campus subject to the policy must implement the policy not later than the beginning of the 2026-2027 school year.

EFFECTIVE DATE

September 1, 2025.