

By: Goodwin

H.B. No. 494

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the eligibility of the children of public school  
3 employees for free prekindergarten programs in public schools.

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

5 SECTION 1. Sections 29.153(b) and (f), Education Code, are  
6 amended to read as follows:

7 (b) A child is eligible for enrollment in a prekindergarten  
8 class under this section if the child is at least three years of age  
9 and:

10 (1) is unable to speak and comprehend the English  
11 language;

12 (2) is educationally disadvantaged;

13 (3) is homeless, regardless of the residence of the  
14 child, of either parent of the child, or of the child's guardian or  
15 other person having lawful control of the child;

16 (4) is the child of an active duty member of the armed  
17 forces of the United States, including the state military forces or  
18 a reserve component of the armed forces, who is ordered to active  
19 duty by proper authority;

20 (5) is the child of a member of the armed forces of the  
21 United States, including the state military forces or a reserve  
22 component of the armed forces, who was injured or killed while  
23 serving on active duty;

24 (6) is or ever has been in:

1 (A) the conservatorship of the Department of  
2 Family and Protective Services following an adversary hearing held  
3 as provided by Section 262.201, Family Code; or

4 (B) foster care in another state or territory, if  
5 the child resides in this state; ~~[or]~~

6 (7) is the child of a person eligible for the Star of  
7 Texas Award as:

8 (A) a peace officer under Section 3106.002,  
9 Government Code;

10 (B) a firefighter under Section 3106.003,  
11 Government Code; or

12 (C) an emergency medical first responder under  
13 Section 3106.004, Government Code; or

14 (8) is the child of a full-time employee of the school  
15 district.

16 (f) A child who is eligible for enrollment in a  
17 prekindergarten class under Subsection (b)(4), ~~[or]~~ (5), or (8)  
18 remains eligible for enrollment after the child begins a  
19 prekindergarten class if, as applicable, the child's parent:

20 (1) leaves the armed forces;

21 (2) ~~[or]~~ is no longer on active duty; or

22 (3) is no longer employed by the school district  
23 after the child begins a prekindergarten class].

24 SECTION 2. This Act applies beginning with the 2025-2026  
25 school year.

26 SECTION 3. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2025.