

By: Patterson

H.B. No. 497

A BILL TO BE ENTITLED

AN ACT

relating to requiring parental consent for behavioral or mental health treatment by school district personnel.

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

SECTION 1. Section 26.009(a), Education Code, is amended to read as follows:

(a) An employee of a school district must obtain the written consent of a child's parent before the employee may:

(1) conduct a psychological examination, test, or treatment, unless the examination, test, or treatment is required under Section 38.004 or state or federal law regarding requirements for special education; ~~or~~

(2) make or authorize the making of a videotape of a child or record or authorize the recording of a child's voice; or

(3) provide a child with behavioral or mental health services or treatment, including:

(A) contraceptives, including emergency contraceptives; and

(B) informational materials on:

(i) family planning;

(ii) human sexuality; or

(iii) mental health.

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

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2025.