

By: Hernandez

H.B. No. 2219

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the eligibility of a student with fetal alcohol  
3 spectrum disorder for special education services provided by a  
4 public school.

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

6 SECTION 1. Section 29.003(b), Education Code, is amended to  
7 read as follows:

8 (b) A student is eligible to participate in a school  
9 district's special education program if the student:

10 (1) is not more than 21 years of age and has a visual or  
11 auditory impairment that prevents the student from being adequately  
12 or safely educated in public school without the provision of  
13 special services; or

14 (2) is at least three but not more than 21 years of age  
15 and has one or more of the following disabilities that prevents the  
16 student from being adequately or safely educated in public school  
17 without the provision of special services:

18 (A) physical disability;

19 (B) intellectual or developmental disability;

20 (C) emotional disturbance;

21 (D) learning disability;

22 (E) autism;

23 (F) speech disability; ~~or~~

24 (G) traumatic brain injury; or

1                    (H) fetal alcohol spectrum disorder.

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