

By: Hopper

H.B. No. 4707

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the admission to public schools of children unlawfully
3 present in the United States and the eligibility of those children
4 for the benefits of the available school fund and Foundation School
5 Program.

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

7 SECTION 1. Sections 25.001(a), (b), and (c), Education
8 Code, are amended to read as follows:

9 (a) A citizen or national of the United States, or an alien
10 lawfully present in the United States, [person] who, on the first
11 day of September of any school year, is at least five years of age
12 and under 21 years of age, or is at least 21 years of age and under
13 26 years of age and is admitted by a school district to complete the
14 requirements for a high school diploma is entitled to the benefits
15 of the available school fund for that year. Any other citizen or
16 national of the United States or alien lawfully present in the
17 United States [person] enrolled in a prekindergarten class under
18 Section 29.153 is entitled to the benefits of the available school
19 fund.

20 (b) The board of trustees of a school district or its
21 designee shall admit into the public schools of the district free of
22 tuition a person who is a citizen or national of the United States,
23 or an alien lawfully present in the United States, and is over five
24 and younger than 21 years of age on the first day of September of the

1 school year in which admission is sought, and may admit a person who
2 is a citizen or national of the United States, or an alien lawfully
3 present in the United States, and is at least 21 years of age and
4 under 26 years of age for the purpose of completing the requirements
5 for a high school diploma, if:

6 (1) the person and either parent of the person reside
7 in the school district;

8 (2) the person does not reside in the school district
9 but a parent of the person resides in the school district and that
10 parent is a joint managing conservator or the sole managing
11 conservator or possessory conservator of the person;

12 (3) the person and the person's guardian or other
13 person having lawful control of the person under a court order
14 reside within the school district;

15 (4) the person has established a separate residence
16 under Subsection (d);

17 (5) the person is homeless, regardless of the
18 residence of the person, of either parent of the person, or of the
19 person's guardian or other person having lawful control of the
20 person;

21 (6) the person is a foreign exchange student placed
22 with a host family that resides in the school district by a
23 nationally recognized foreign exchange program, unless the school
24 district has applied for and been granted a waiver by the
25 commissioner under Subsection (e);

26 (7) the person resides at a residential facility
27 located in the district;

1 (8) the person resides in the school district and is 18
2 years of age or older or the person's disabilities of minority have
3 been removed;

4 (9) the person does not reside in the school district
5 but the grandparent of the person:

6 (A) resides in the school district; and

7 (B) provides a substantial amount of
8 after-school care for the person as determined by the board; or

9 (10) the person and either parent of the person reside
10 in a residence homestead, as defined by Section 11.13(j), Tax Code,
11 that is located on a parcel of property any part of which is located
12 in the school district.

13 (c) The board of trustees of a school district or the
14 board's designee may require evidence that a person is eligible to
15 attend the public schools of the district at the time the board or
16 its designee considers an application for admission of the person.
17 The board of trustees or its designee shall establish minimum proof
18 of residency, United States citizenship or nationality, or status
19 as an alien lawfully present in the United States acceptable to the
20 district. The board of trustees or its designee may make reasonable
21 inquiries to verify a person's eligibility for admission.

22 SECTION 2. Section 48.003, Education Code, is amended by
23 adding Subsection (e) to read as follows:

24 (e) Notwithstanding Subsections (a) and (b), a student who
25 is not a citizen or national of the United States or an alien
26 lawfully present in the United States is not entitled to the
27 benefits of the Foundation School Program.

1 SECTION 3. This Act applies beginning with the 2026-2027
2 school year.

3 SECTION 4. This Act takes effect September 1, 2025.