

By: Campbell

S.B. No. 762

A BILL TO BE ENTITLED

AN ACT

relating to the display of flags in public schools.

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

SECTION 1. Chapter 1, Education Code, is amended by adding Section 1.0031 to read as follows:

Sec. 1.0031. DISPLAY OF FLAGS. (a) In this section, "display" means to exhibit or place an object anywhere students may see the object.

(b) A public elementary or secondary school may not display or permit an employee, agent, volunteer, or student to display on school property any flag other than the following flags:

(1) the United States flag;

(2) the state flag;

(3) a flag that cannot be disturbed or altered due to archeological or historical preservation as determined by the Texas Historical Commission;

(4) the Prisoner of War or Missing in Action flag;

(5) a flag that represents an Indian tribe, as defined by 25 U.S.C. Section 5304(e);

(6) a flag that represents a political subdivision;

(7) a flag that represents any unit, branch, or other division of the armed forces of the United States, including a Reserve Officers' Training Corps program;

(8) a flag that represents a foreign country or

1 political subdivision of that country;

2 (9) a flag that represents a college or university;

3 (10) a flag that is displayed temporarily as part of
4 the required curriculum under Section 28.002;

5 (11) the school's official flag; or

6 (12) the flag of an organization authorized to use a
7 school building, provided that the flag is only displayed during
8 the authorized time and at the authorized location specified for
9 the organization's use of school property.

10 (c) Notwithstanding any other law, a parent or guardian of a
11 child who is enrolled, or eligible to enroll, in a school that
12 violates Subsection (b) and fails to provide notice of the remedy
13 implemented by the school within the period prescribed by
14 Subsection (e) may bring an action against the school to obtain an
15 injunction to comply with this section.

16 (d) Before bringing an action under Subsection (c), the
17 parent or guardian must provide written notice of the alleged
18 violation that is the basis for the action to the school and allow
19 the school 10 business days from receipt of the notice to remedy the
20 violation.

21 (e) Not later than the 10th business day after receiving a
22 written notice under Subsection (d), the school shall provide in
23 writing to the parent or guardian notice of the remedy the school
24 implemented.

25 SECTION 2. It is the intent of the legislature that every
26 provision, section, subsection, sentence, clause, phrase, or word
27 in this Act, and every application of the provisions in this Act to

1 every person, group of persons, or circumstances, is severable from
2 each other. If any application of any provision in this Act to any
3 person, group of persons, or circumstances is found by a court to be
4 invalid for any reason, the remaining applications of that
5 provision to all other persons and circumstances shall be severed
6 and may not be affected.

7 SECTION 3. This Act takes effect January 1, 2026.