

By: Parker, et al.

S.B. No. 1702

A BILL TO BE ENTITLED

AN ACT

relating to a parent's right to receive notice each time the parent's child obtains a school library material.

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

SECTION 1. Section 12.104(b), Education Code, is amended to read as follows:

(b) An open-enrollment charter school is subject to:

(1) a provision of this title establishing a criminal offense;

(2) the provisions in Chapter 554, Government Code; and

(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) criminal history records under Subchapter C, Chapter 22;

(C) reading instruments and accelerated reading instruction programs under Section 28.006;

(D) accelerated instruction under Section 28.0211;

(E) high school graduation requirements under

- 1 Section 28.025;
- 2 (F) special education programs under Subchapter
- 3 A, Chapter 29;
- 4 (G) bilingual education under Subchapter B,
- 5 Chapter 29;
- 6 (H) prekindergarten programs under Subchapter E
- 7 or E-1, Chapter 29, except class size limits for prekindergarten
- 8 classes imposed under Section 25.112, which do not apply;
- 9 (I) extracurricular activities under Section
- 10 33.081;
- 11 (J) discipline management practices or behavior
- 12 management techniques under Section 37.0021;
- 13 (K) health and safety under Chapter 38;
- 14 (L) the provisions of Subchapter A, Chapter 39;
- 15 (M) public school accountability and special
- 16 investigations under Subchapters A, B, C, D, F, G, and J, Chapter
- 17 39, and Chapter 39A;
- 18 (N) the requirement under Section 21.006 to
- 19 report an educator's misconduct;
- 20 (O) intensive programs of instruction under
- 21 Section 28.0213;
- 22 (P) the right of a school employee to report a
- 23 crime, as provided by Section 37.148;
- 24 (Q) bullying prevention policies and procedures
- 25 under Section 37.0832;
- 26 (R) the right of a school under Section 37.0052
- 27 to place a student who has engaged in certain bullying behavior in a

1 disciplinary alternative education program or to expel the student;

2 (S) the right under Section 37.0151 to report to
3 local law enforcement certain conduct constituting assault or
4 harassment;

5 (T) a parent's right to information regarding the
6 provision of assistance for learning difficulties to the parent's
7 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

8 (U) establishment of residency under Section
9 25.001;

10 (V) school safety requirements under Sections
11 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085,
12 37.1086, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and
13 37.2071 and Subchapter J, Chapter 37;

14 (W) the early childhood literacy and mathematics
15 proficiency plans under Section 11.185;

16 (X) the college, career, and military readiness
17 plans under Section 11.186; ~~and~~

18 (Y) parental options to retain a student under
19 Section 28.02124; and

20 (Z) a parent's right to notice regarding the
21 school library materials obtained by the parent's child as provided
22 by Section 26.017.

23 SECTION 2. Chapter 26, Education Code, is amended by adding
24 Section 26.017 to read as follows:

25 Sec. 26.017. NOTICE REGARDING SCHOOL LIBRARY MATERIALS.

26 (a) Except as provided by Subsection (b), a school district shall
27 notify a parent of each child enrolled in the district by e-mail

1 each time the parent's child obtains a school library material from
2 a school library in the district. The notice must include the title
3 and author of the school library material.

4 (b) Before each school year, a school district shall provide
5 written notice to a parent of each child enrolled in the district
6 regarding the option to submit a written or electronic request to
7 opt out of the notifications required under Subsection (a).

8 (c) A school district shall:

9 (1) maintain a current list of parents to be notified
10 under Subsection (a); and

11 (2) promptly process opt-out requests under
12 Subsection (b).

13 SECTION 3. This Act applies beginning with the 2025-2026
14 school year.

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