

BILL ANALYSIS

S.B. 797
By: Hughes
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The phrase "In God We Trust" has been prominent in American public life since 1864, when it was first placed on an American coin. Since that time, it has been used in near-unbroken fashion on American coinage and became the official motto of the United States on July 30, 1956, when President Eisenhower signed Public Law 84-140. After the terrorist attacks on September 11, 2001, states began enacting legislation to allow or require the display of the national motto in public buildings, with an emphasis on public schools. According to a National Conference of State Legislatures report, 19 states had enacted such legislation by September 2019. Texas law currently authorizes the display, but S.B. 797 seeks to require the display of the motto in public schools and institutions of higher education if the materials with the motto are donated to or purchased with private donations by the school or institution.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 797 amends the Education Code to require a public elementary or secondary school or a public institution of higher education to display in a conspicuous place in each building of the school or institution a durable poster or framed copy of the United States national motto, "In God We Trust," if the poster or framed copy meets certain criteria and is acquired by one of the following means:

- via donation for display at the school or institution; or
- through a purchase from private donations and made available to the school or institution.

The bill establishes that such a poster or framed copy must contain both a representation of the United States flag centered under the motto and a representation of the Texas flag and may not depict any words, images, or other information other than those representations. The bill authorizes a school or institution to accept and use private donations for purposes of the bill's provisions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.