

## **BILL ANALYSIS**

Senate Research Center

S.B. 471  
By: Luna  
Education  
4-24-97  
As Filed

### **DIGEST**

Currently, a person who is at least five years of age and under 21 is entitled to receive certain benefits of the available school fund for that year. Because students who are between the ages of 18 and 21 are allowed to attend school voluntarily, there is no mandatory attendance requirement for these students to receive the benefits. This bill provides that a person who is at least five years of age and under 20 is entitled to the benefits of the available school fund, but sets forth certain penalties if a person does not attend school.

### **PURPOSE**

As proposed, S.B. 471 provides that a person who is five years of age and under 20 is entitled to the benefits of the available school fund. Sets forth certain penalties if a person does not attend school.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 25.001(a) and (b), Education Code, to provide that a person who is at least five years of age and under 20, rather than 21, on the first day of September of any school year is entitled to certain benefits of the available school fund. Provides that a person who is 20 years of age or older on the first day of September is entitled to the benefits of the fund for that school year only to the extent that entitlement to those benefits is required by federal law. Makes conforming changes.

SECTION 2. Amends Section 25.002(f), Education Code, to authorize a school district to require the person who enrolls a child to provide school district employees with identification, including the person's driver's license. Authorizes the school district to retain a copy of the identification provided. Makes conforming changes.

SECTION 3. Amends Section 25.085, Education Code, to require a person who voluntarily enrolls in school after completing the academic year in which the person's 17th birthday occurred to attend school each school day for the entire period the program of instruction is offered.

SECTION 4. Amends Section 25.087(a), Education Code, to provide that a person, rather than a child, required to attend school, including a person to whom Section 25.085(e) applies, may be excused from temporary absences for acceptable causes. Makes a conforming change.

SECTION 5. Amends Chapter 25C, Education Code, by adding Section 25.097, as follows:

Sec. 25.097. FAILURE OF PERSON VOLUNTARILY ENROLLED IN SCHOOL TO ATTEND. Requires a school attendance officer to warn a person in writing that school attendance is immediately required under certain conditions. Sets forth conditions of an offense. Sets forth requirements for the attendance officer filing a complaint. Provides that an offense under this section is a Class C misdemeanor. Requires fines collected under this section to be deposited in the same manner as fines collected under Section 25.093(f). Provides that an authorized employee of the school district may present the attendance

records of a person charged with an offense. Sets forth actions that a school district may take if a person is found by a justice court to have committed more than one offense under this section during a semester.

SECTION 6. Provides that this Act takes effect beginning with the 1997-1998 school year.

SECTION 7. Emergency clause.  
Effective date: upon passage.