

BILL ANALYSIS

Senate Research Center
83R1978 CAE-D

H.B. 308
By: Bohac et al. (Nichols)
Education
5/10/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law does not define traditional winter celebrations or provide for school districts, administrators, teachers, and students to celebrate on school property with displays associated with those holidays, including menorahs, Christmas trees, and nativity scenes. Christmas has long been recognized as an official federal holiday and various court rulings have made it clear that it is permissible for a governmental entity to acknowledge Christmas for historical and cultural purposes as a traditional winter celebration and as a national holiday, including the use of seasonal greetings and the display of a nativity scene and Christmas trees along with other religious and nonreligious symbols.

H.B. 308 amends current law relating to a school district's recognition of and education regarding traditional winter celebrations.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 29, Education Code, by adding Section 29.920, as follows:

Sec. 29.920. WINTER CELEBRATIONS. (a) Authorizes a school district to educate students about the history of traditional winter celebrations, and allow students and district staff to offer traditional greetings regarding the celebrations, including:

- (1) "Merry Christmas";
- (2) "Happy Hanukkah"; and
- (3) "happy holidays."

(b) Authorizes a school district, except as provided by Subsection (c), to display on school property scenes or symbols associated with traditional winter celebrations, including a menorah or a Christmas image such as a nativity scene or Christmas tree, if the display includes a scene or symbol of more than one religion, or one religion and at least one secular scene or symbol.

(c) Prohibits a display relating to a traditional winter celebration from including a message that encourages adherence to a particular religious belief.

SECTION 2. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 3. Effective date: upon passage or September 1, 2013.