

## **BILL ANALYSIS**

Senate Research Center

H.B. 441  
By: Martinez, "Mando" (Lucio)  
Education  
7/31/2017  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Memorial Day, which is observed on the last Monday of May, is a day to honor soldiers who have died in the defense of our freedom. Accordingly, most schools do not hold classes on Memorial Day, but there have been some reported instances of schools requiring attendance on this holiday. Specifically, since the day falls so late in the school year, districts have used this holiday as an opportunity to make up days lost to inclement weather or other emergencies throughout the year. Interested parties note, however, that holding classes on Memorial Day diminishes the observation of the holiday and the sacrifices of the fallen soldiers it honors.

H.B. 441 properly recognizes Memorial Day by prohibiting schools from offering instruction on that day. For districts for which classes on Memorial Day would be necessary to meet the required instructional minutes for the year, the bill directs the commissioner of education to authorize a waiver that would reduce the minute requirement to allow the schools to remain closed on this day. H.B. 441 reaffirms Texas' commitment to honor the sacrifices of our men and women in uniform by ensuring the day remains a time for reflection and celebration.

H.B. 441 amends current law relating to operation of public schools on Memorial Day.

### **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 Section 25.081, Education Code, by adding Subsection (f), as follows:

(f) Prohibits a school district from providing student instruction on Memorial Day. Requires the commissioner of education, if a school district would be required to provide student instruction on Memorial Day to compensate for minutes of instruction lost because of school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity, to approve the instruction of students for fewer than the number of minutes required under Subsection (a) (relating to requiring each school district to provide at least 75,600 minutes of instruction, including intermissions and recesses, for students).

SECTION 2. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 3. Effective date: upon passage or September 1, 2017.