

1-1 By: Campbell S.B. No. 762  
1-2 (In the Senate - Filed January 10, 2025; February 7, 2025,  
1-3 read first time and referred to Committee on Education K-16;  
1-4 April 7, 2025, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 1; April 7, 2025,  
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Creighton	X			
1-10	Campbell	X			
1-11	Bettencourt	X			
1-12	Hagenbuch	X			
1-13	Hinojosa of Nueces	X			
1-14	King	X			
1-15	Menéndez		X		
1-16	Middleton	X			
1-17	Parker	X			
1-18	Paxton	X			
1-19	West			X	

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 762 By: Paxton

1-21 A BILL TO BE ENTITLED  
1-22 AN ACT

1-23 relating to the display of flags in public schools; providing a  
1-24 civil penalty.  
1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-26 SECTION 1. Chapter 1, Education Code, is amended by adding  
1-27 Section 1.0031 to read as follows:  
1-28 Sec. 1.0031. DISPLAY OF FLAGS. (a) In this section:  
1-29 (1) "Display" means to exhibit or place an object  
1-30 anywhere students may see the object.  
1-31 (2) "Flag" means a piece of fabric or similar material,  
1-32 typically rectangular in shape, with a specific design, including a  
1-33 design that symbolizes a location, governmental entity, or cause.  
1-34 (b) A public elementary or secondary school may not display  
1-35 or permit an employee, agent, volunteer, or student to display on  
1-36 school property any flag other than the following flags:  
1-37 (1) the United States flag;  
1-38 (2) the state flag;  
1-39 (3) a flag that cannot be disturbed or altered due to  
1-40 archeological or historical preservation as determined by the Texas  
1-41 Historical Commission;  
1-42 (4) the Prisoner of War or Missing in Action flag;  
1-43 (5) a flag that represents an Indian tribe, as defined  
1-44 by 25 U.S.C. Section 5304(e);  
1-45 (6) a flag that represents a political subdivision;  
1-46 (7) a flag that represents any unit, branch, or other  
1-47 division of the armed forces of the United States, including a  
1-48 Reserve Officers' Training Corps program;  
1-49 (8) a flag that represents a foreign country or  
1-50 political subdivision of that country;  
1-51 (9) a flag that represents a college or university;  
1-52 (10) a flag that is displayed temporarily as part of  
1-53 the required curriculum under Section 28.002;  
1-54 (11) the school's official flag; or  
1-55 (12) the flag of an organization authorized to use a  
1-56 school building, provided that the flag is only displayed during  
1-57 the authorized time and at the authorized location specified for  
1-58 the organization's use of school property.  
1-59 (c) A parent or guardian of a child who is enrolled, or  
1-60 eligible to enroll, in a school that violates Subsection (b) may

2-1 provide written notice of the alleged violation to the school and  
2-2 allow the school 10 business days from receipt of the notice to  
2-3 remedy the violation.

2-4 (d) Not later than the 10th business day after receiving a  
2-5 written notice under Subsection (c), the school shall provide in  
2-6 writing to the parent or guardian notice of the remedy the school  
2-7 implemented.

2-8 (e) A school that violates Subsection (b) and fails to  
2-9 provide notice of the remedy implemented by the school within the  
2-10 period prescribed by Subsection (d) is liable to the state for a  
2-11 civil penalty in the amount of \$500 for each day that the school  
2-12 fails to provide notice of the remedy after the period prescribed by  
2-13 Subsection (d). The attorney general may sue to collect a civil  
2-14 penalty under this subsection. Money collected under this  
2-15 subsection shall be deposited in the state treasury to the credit of  
2-16 the general revenue fund.

2-17 SECTION 2. It is the intent of the legislature that every  
2-18 provision, section, subsection, sentence, clause, phrase, or word  
2-19 in this Act, and every application of the provisions in this Act to  
2-20 every person, group of persons, or circumstances, is severable from  
2-21 each other. If any application of any provision in this Act to any  
2-22 person, group of persons, or circumstances is found by a court to be  
2-23 invalid for any reason, the remaining applications of that  
2-24 provision to all other persons and circumstances shall be severed  
2-25 and may not be affected.

2-26 SECTION 3. This Act takes effect January 1, 2026.

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