

1-1 By: Creighton, et al. S.B. No. 2365  
1-2 (In the Senate - Filed March 12, 2025; March 25, 2025, read  
1-3 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 10, Nays 0; 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. 2365 By: Hinojosa of Nueces

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

1-23 relating to a policy prohibiting the use of personal wireless  
1-24 communication devices by public school students during  
1-25 instructional time.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-27 SECTION 1. Subchapter A, Chapter 38, Education Code, is  
1-28 amended by adding Section 38.0232 to read as follows:

1-29 Sec. 38.0232. STUDENT USE OF PERSONAL WIRELESS  
1-30 COMMUNICATION DEVICES DURING INSTRUCTIONAL TIME PROHIBITED. (a)  
1-31 In this section, "personal wireless communication device" means an  
1-32 electronic device, other than a device issued to an enrolled  
1-33 student by a school district or open-enrollment charter school,  
1-34 that is capable of transmitting or receiving data, such as text  
1-35 messages, including:

- 1-36 (1) a laptop computer;
- 1-37 (2) a cell phone, such as a smartphone; or
- 1-38 (3) a tablet.

1-39 (b) Notwithstanding Section 38.0231, the board of trustees  
1-40 of a school district and the governing body of an open-enrollment  
1-41 charter school shall adopt a policy prohibiting a student in the  
1-42 district or school from using a personal wireless communication  
1-43 device during instructional time.

1-44 (c) In adopting the policy, the board of trustees or  
1-45 governing body must authorize the use of a personal wireless  
1-46 communication device:

- 1-47 (1) necessary to implement an individualized  
1-48 education program, a plan created under Section 504, Rehabilitation  
1-49 Act of 1973 (29 U.S.C. Section 794), or a similar program or plan;
- 1-50 (2) by a student with a documented need based on a  
1-51 directive from a qualified physician; or
- 1-52 (3) necessary to comply with a health or safety  
1-53 requirement imposed by law or included in the district's or school's  
1-54 safety protocols.

1-55 SECTION 2. This Act applies beginning with the 2025-2026  
1-56 school year.

1-57 SECTION 3. This Act takes effect immediately if it receives  
1-58 a vote of two-thirds of all the members elected to each house, as  
1-59 provided by Section 39, Article III, Texas Constitution. If this  
1-60 Act does not receive the vote necessary for immediate effect, this

2-1 Act takes effect September 1, 2025.

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