

AN ACT

relating to policies on the recess period in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 28, Education Code, is amended by adding Sections 28.0047 and 28.0048 to read as follows:

Sec. 28.0047. MODEL RECESS POLICIES. The Department of State Health Services School Health Advisory Committee established under Section 1001.0711, Health and Safety Code, shall develop model policies for the recess period during the school day that encourage constructive, age-appropriate outdoor playtime. The model policies must include guidelines for outdoor equipment and facilities on public school campuses that maximize the effectiveness of outdoor physical activity.

Sec. 28.0048. RECESS POLICY. (a) The board of trustees of each school district shall:

(1) after reviewing the model recess policies developed under Section 28.0047 and the policy recommendations of the local school health advisory council provided under Section 28.004(1), adopt a recess policy based on those model policies and recommendations; and

(2) review and, if necessary, revise the recess policy at least every five years.

(b) The recess policy must specify:

(1) the required number of minutes of weekly

1 unstructured playtime; and

2 (2) whether a student's recess time may be withheld as
3 a form of student discipline.

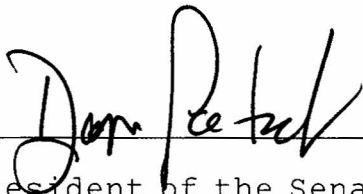
4 (c) Each school district campus subject to the district
5 recess policy adopted under Subsection (a) shall implement the
6 recess policy.

7 SECTION 2. (a) Not later than January 1, 2020, the
8 Department of State Health Services School Health Advisory
9 Committee shall develop model recess policies as required by
10 Section 28.0047, Education Code, as added by this Act.

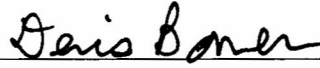
11 (b) Not later than May 1, 2020, the board of trustees of each
12 school district shall adopt a recess policy as required by Section
13 28.0048, Education Code, as added by this Act.

14 (c) Not later than the beginning of the 2020-2021 school
15 year, each school district campus subject to a school district
16 recess policy adopted under Section 28.0048, Education Code, as
17 added by this Act, shall implement the adopted policy.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2019.



President of the Senate

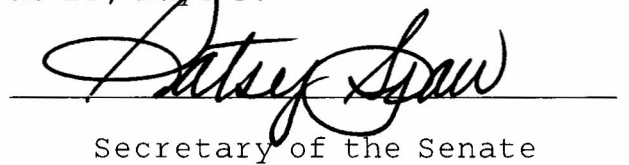


Speaker of the House

I certify that H.B. No. 455 was passed by the House on April 16, 2019, by the following vote: Yeas 95, Nays 48, 2 present, not voting.


Chief Clerk of the House

I certify that H.B. No. 455 was passed by the Senate on May 21, 2019, by the following vote: Yeas 28, Nays 3.


Secretary of the Senate

APPROVED: _____

Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:45 pm O'CLOCK

JUN 15 2019


Secretary of State

PROCLAMATION
BY THE
Governor of the State of Texas
41-3637

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14, of the Texas Constitution, I, Greg Abbott, Governor of Texas, do hereby disapprove of and veto House Bill No. 455 as passed by the Eighty-Sixth Texas Legislature, Regular Session, because of the following objections:

I appreciate the good intentions behind House Bill 455, and there is no disputing the educational and health benefits of recess during the school day. But requiring the State and its school districts to churn out more policies and mandates about recess is just bureaucracy for bureaucracy's sake.

Since the Eighty-Sixth Texas Legislature, Regular Session, by its adjournment has prevented the return of this bill, I am filing these objections in the office of the Secretary of State and giving notice thereof by this public proclamation according to the aforementioned constitutional provision.



IN TESTIMONY WHEREOF, I have signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 15th day of June, 2019.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor of Texas

ATTESTED BY:

A handwritten signature in black ink that reads "Joe Esparza".

JOE ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4:45pm O'CLOCK

JUN 15 2019