

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 282

INTRODUCER: Senators Baxley and Albritton

SUBJECT: Moments of Silence in Public Schools

DATE: February 2, 2021

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Brick	Bouck	ED	Favorable
2.			JU	
3.			RC	

I. Summary:

SB 282 requires a moment of silence to be set aside for students during each school day. The bill directs the principal of each public school to require teachers in first-period classrooms in all grades to set aside one to two minutes daily for a moment of silence, during which students may not interfere with other students' participation.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2021.

II. Present Situation:

District school boards may set aside up to two minutes for silent prayer or meditation at the start of each school day or each school week in the public schools in the district.¹

Fourteen states require a moment of silence or a period for contemplation or prayer during each school day.² An additional eighteen states authorize the school district, school, or classroom to observe a period of silence or prayer during each school day.³

¹ Section 1003.45, F.S., added in s. 1, ch. 80-336, L.O.F.

² Ala. Code s. 16-1-20; Ark. Code Ann. s. 6-10-115; Conn. Gen. Stat. s. 10-16a; Ga. Code Ann. s. 20-2-150; 105 Ill. Comp. Stat. 20/1; Ind. Code s 20-30-5-4.5; Mass. Gen. Laws Ann. ch. 71, s. 1A; Nev. Rev. Stat. Ann. s. 388.075; N.H. Rev. Stat. s. 189:1-b; R.I. Gen. Laws s. 16-12-3.1; S.C. Code Ann. s. 59-1-443; Tenn. Code Ann. s. 49-6-1004; Tex. Code Ann. s. 25.082(d); Va. Code Ann. s. 22.1-203.

³ Ariz. Rev. Stat. Ann. s. 15-342(21); Del. Code Ann. tit. 14, s. 4101A; Section 1003.45, F.S.; Kan. Stat. Ann. s. 72-9929; Ky. Rev. Stat. Ann. s. 158.175; La. Rev. Stat. Ann. s. 17:2115; Me. Rev. Stat. Ann. tit. 20-a., s. 4805; Md. Code, Educ. s. 7-104; Mich. Comp. Laws Ann. s. 380.1565; Minn. Stat. Ann. s. 121A.10; Mont. Code Ann. s. 20-7-112; N.M. Stat. Ann. s. 22-27-3; N.Y. law s. 3029-a; N.C. Gen. Stat. s. 115C-47(29); N.D. Cent. Code s. 15.1-19-03.1; Ohio Rev. Code s. 3313.601; 24 Pa. Const. Stat. s. 15-1516.1; Utah Code Ann. s. 53G-7-207.

III. Effect of Proposed Changes:

SB 282 amends s. 1003.45, F.S., to require a moment of silence be set aside for students during each school day and state legislative findings for the value of a moment of daily reflection.

The bill directs the principal of each public school to require teachers in first-period classrooms in all grades to set aside one to two minutes daily⁴ for a moment of silence, during which students may not interfere with other students' participation.

The bill provides that a teacher:

- May not make suggestions as to the nature of any reflection that a student may engage in during the moment of silence.
- Must encourage parents to discuss the moment of silence with their children and to make suggestions as to the best use of this time.

The bill takes effect July 1, 2021.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

⁴ One to two minutes daily accumulates to three to six hours of instructional time over the course of the school year. Florida Department of Education, *Agency Legislative Bill Analysis for SB 282 (2021)*, at 3-4.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1003.45 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.