

By: Patterson, Lozano, Talarico, Bernal

H.B. No. 1080

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the eligibility for participation in University
3 Interscholastic League activities of certain public school
4 students who receive outpatient mental health services.

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

6 SECTION 1. Subchapter D, Chapter 33, Education Code, is
7 amended by adding Section 33.0832 to read as follows:

8 Sec. 33.0832. PARTICIPATION IN UNIVERSITY INTERSCHOLASTIC
9 LEAGUE ACTIVITIES BY STUDENTS RECEIVING OUTPATIENT MENTAL HEALTH
10 SERVICES. (a) This section applies to a student who:

11 (1) receives outpatient mental health services from a
12 mental health facility, as defined by Section 571.003, Health and
13 Safety Code; and

14 (2) is enrolled in a school district or
15 open-enrollment charter school or otherwise receives public
16 education services from a district or school.

17 (b) The University Interscholastic League shall ensure that
18 league rules do not exclude from eligibility for participation in a
19 league activity a student to whom this section applies based solely
20 on the criteria described in Subsection (a)(1).

21 (c) A school district or open-enrollment charter school may
22 not adopt or enforce policies that restrict participation in
23 University Interscholastic League activities by a student to whom
24 this section applies based solely on:

1 (1) the criteria described in Subsection (a)(1); or
2 (2) the student's absence during instructional time
3 while receiving outpatient mental health services as described by
4 Subsection (a)(1).

5 (d) This section does not exempt a student to whom this
6 section applies from any eligibility requirement for participation
7 in University Interscholastic League activities other than an
8 eligibility requirement based solely on the criteria described in
9 Subsection (a)(1).

10 SECTION 2. As soon as practicable after the effective date
11 of this Act:

12 (1) the University Interscholastic League shall
13 propose or amend rules as necessary to comply with Section 33.0832,
14 Education Code, as added by this Act; and

15 (2) a school district or open-enrollment charter
16 school shall propose or amend policies as necessary to comply with
17 Section 33.0832, Education Code, as added by this Act.

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, 2021.