

By: Price

H.B. No. 3449

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the membership of a public school concussion oversight  
3 team and the removal of a public school student from an  
4 interscholastic athletic activity on the basis of a suspected  
5 concussion.

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

7 SECTION 1. Section [38.154](#), Education Code, is amended by  
8 adding Subsection (a-1) to read as follows:

9 (a-1) A school district or open-enrollment charter school  
10 may include any person licensed under Chapter [201](#) or [453](#),  
11 Occupations Code, as a member of the district or charter school  
12 concussion oversight team, provided that the person meets the  
13 training requirement under Subsection (c).

14 SECTION 2. Section [38.156](#), Education Code, is amended to  
15 read as follows:

16 Sec. 38.156. REMOVAL FROM PLAY IN PRACTICE OR COMPETITION  
17 FOLLOWING CONCUSSION. A student shall be removed from an  
18 interscholastic athletics practice or competition immediately if  
19 one of the following persons believes the student might have  
20 sustained a concussion during the practice or competition:

- 21 (1) a coach;
- 22 (2) a physician;
- 23 (3) a licensed health care professional;
- 24 (4) a person licensed under Chapter [201](#) or [453](#),

1 Occupations Code;

2           (5) a school nurse; or

3           (6) the student's parent or guardian or another person  
4 with legal authority to make medical decisions for the student.

5           SECTION 3. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2021.