

By: Hernandez

H.B. No. 1797

A BILL TO BE ENTITLED

AN ACT

relating to public school policy regarding the prevention of heat stress.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.0211 to read as follows:

Sec. 38.0211. HEAT STRESS PREVENTION POLICY. (a) In this section, "wet bulb globe temperature" means a comprehensive measurement of environmental conditions that accounts for ambient temperature, relative humidity, wind, and solar radiation.

(b) This section applies to:

(1) each public school in this state; and

(2) an extracurricular activity sponsored or sanctioned by the University Interscholastic League and conducted outdoors, including practice, training, participation, and competition.

(c) Each school district and open-enrollment charter school shall adopt and implement a policy regarding heat safety for students participating in extracurricular activities conducted outdoors. The policy must:

(1) establish criteria for determining satisfactory or unsatisfactory conditions for outdoor activity based on wet bulb globe temperature levels;

(2) require each school to monitor the risk of heat

1 stress before an outdoor activity begins and determine whether
2 conditions are satisfactory or unsatisfactory in accordance with
3 criteria established under Subdivision (1); and

4 (3) require each school to modify or suspend outdoor
5 activity as necessary if conditions are determined to be
6 unsatisfactory under Subdivision (1).

7 (d) This section does not:

8 (1) waive any immunity from liability of a school
9 district or open-enrollment charter school or of district or
10 charter school officers or employees; or

11 (2) create any liability for a cause of action against
12 a school district or open-enrollment charter school or against
13 district or charter school officers or employees.

14 SECTION 2. This Act applies beginning with the 2023-2024
15 school year.

16 SECTION 3. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2023.