

BILL ANALYSIS

Senate Research Center

H.B. 3563
By: King, Phil (Staples)
Education
5/18/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Over the past decade, high school steroid abuse has become a growing problem. For example, the National Center for Disease Control reported that from 1991 to 2003, steroid use more than doubled among high school students and more than six percent of students acknowledged that they tried steroid pills or shots at least once. A Texas A&M University survey on substance abuse in 2002 found that nearly 42,000 Texas students in grades 7 through 12, about 2.3 percent, had taken steroids. Researchers have suggested in numerous newspaper articles that the number of students who report using steroids "is almost certainly too low."

Last spring, nine students at Colleyville Heritage High School in suburban Fort Worth confessed to using the performance-enhancing drugs, making it one of the largest cases of confirmed steroid use at a United States high school. Out of 1,674 Texas public high schools, only 93 were testing for performance-enhancing drugs in 2002. The University Interscholastic League (UIL) does not have any more recent statistics on steroid use among high school athletes.

Anabolic steroid use can have severe physical and emotional consequences both for males and for females. Physical effects can include stunted growth, high blood pressure, and liver tumors. Psychological effects can include wide mood swings that range from episodes of uncontrolled anger and aggressiveness to clinical depression when steroid use is stopped. Due to the inherent physical and psychological danger involved with steroid abuse and the evidence that suggests a lack of effort on behalf of school districts and the league to address this growing problem, H.B. 3563 directs school districts which participate in UIL athletic events to develop a steroid testing program.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the University Interscholastic League in SECTION 1 (Section 33.091, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.091, as follows:

Sec. 33.091. PREVENTION OF ILLEGAL STEROID USE. (a) Defines "league," "parent," and "steroid."

(b) Requires the University Interscholastic League (league) to adopt rules prohibiting a student from participating in an athletic competition sponsored or sanctioned by the league unless certain conditions are met.

(c) Requires the league to take certain actions relating to educational programs for students engaged in extracurricular activities.

(d) Requires the league, during the 2005-2006 school year, to conduct a survey regarding the extent of illegal steroid use by high school students, including students engaged in extracurricular athletic activities sponsored or sanctioned by the league. Requires the survey to be designed to determine certain information.

(e) Requires the league to take certain actions relating to studying and reporting the effectiveness of the educational program.

(f) Authorizes the legislature, if, based on the report required under Subsection (e)(3), the legislature determines that the educational program required by Subsection (c) has not significantly reduced the use of illegal steroids by students engaged in extracurricular athletic activities, to require the league to implement the steroid testing plan developed under Subsection (e)(2).

(g) Authorizes the league to increase the membership fees required of school districts that participate in athletic competitions sponsored or sanctioned by the league in an amount necessary to offset the cost of league activities under this section.

(h) Provides that Subsection (b)(1) does not apply to the use by a student of a steroid that is dispensed, prescribed, delivered, and administered by a medical practitioner for a valid medical purpose and in the course of professional practice.

(i) Requires the league to develop the educational program required by Subsection (c) not later than September 1, 2005. Provides that this subsection and Subsections (d), (e), and (f) expire January 15, 2007.

SECTION 2. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.0081, as follows:

Sec. 38.0081. INFORMATION ABOUT STEROIDS. (a) Requires the Texas Education Agency (agency), in conjunction with the Department of State Health Services, to take certain action relating to developing and distributing information about steroid use.

(b) Requires each school district, at appropriate grade levels as determined by the State Board of Education, to provide the information developed under Subsection (a) to district students, particularly to those students involved in extracurricular athletic activities.

SECTION 3. Makes application of Sections 33.091 and 38.0081, Education Code, as added by this Act, prospective to the 2005-2006 school year.

SECTION 4. Effective date: upon passage or September 1, 2005.