

By: King of Parker, Bailey, Morrison, Luna,  
Swinford, et al.

H.B. No. 3563

Substitute the following for H.B. No. 3563:

By: Cook of Navarro

C.S.H.B. No. 3563

A BILL TO BE ENTITLED

AN ACT

relating to the use of anabolic steroids by public school students.

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

SECTION 1. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.091 to read as follows:

Sec. 33.091. PREVENTION OF ILLEGAL STEROID USE. (a) In this section:

(1) "League" means the University Interscholastic League.

(2) "Parent" includes a guardian or other person standing in parental relation.

(3) "Steroid" means an anabolic steroid as described by Section 481.104, Health and Safety Code.

(b) The league shall adopt rules prohibiting a student from participating in an athletic competition sponsored or sanctioned by the league unless:

(1) the student agrees not to use steroids; and

(2) the league obtains from the student's parent a statement signed by the parent and acknowledging that:

(A) state law prohibits possessing, dispensing, delivering, or administering a steroid in a manner not allowed by state law;

(B) state law provides that body building, muscle enhancement, or the increase of muscle bulk or strength through the

1 use of a steroid by a person who is in good health is not a valid  
2 medical purpose;

3 (C) only a medical doctor may prescribe a steroid  
4 for a person; and

5 (D) a violation of state law concerning steroids  
6 is a criminal offense punishable by confinement in jail or  
7 imprisonment in the Texas Department of Criminal Justice.

8 (c) The league shall:

9 (1) develop an educational program for students  
10 engaged in extracurricular athletic activities sponsored or  
11 sanctioned by the league, parents of those students, and coaches of  
12 those activities regarding the health effects of steroid use; and

13 (2) make the program available to school districts.

14 (d) During the 2005-2006 school year, the league shall  
15 conduct a survey regarding the extent of illegal steroid use by high  
16 school students, including students engaged in extracurricular  
17 athletic activities sponsored or sanctioned by the league. The  
18 survey must be designed to determine:

19 (1) the number of high school students found by school  
20 districts to have possessed or used illegal steroids;

21 (2) the number of school districts that test high  
22 school students, including students engaged in extracurricular  
23 athletic activities, for the presence of illegal steroids in the  
24 students' bodies; and

25 (3) any other information the league considers  
26 indicative of illegal steroid use by high school students engaged  
27 in extracurricular athletic activities.

1           (e) The league shall:

2                   (1) cooperate with an appropriate public or private  
3 entity to study the effectiveness of the educational program  
4 required by Subsection (c);

5                   (2) develop a plan for testing students engaged in  
6 extracurricular athletic activities sponsored or sanctioned by the  
7 league for the presence of illegal steroids in the students'  
8 bodies; and

9                   (3) not later than December 1, 2006, file a written  
10 report with the legislature regarding:

11                           (A) the results of the survey required by  
12 Subsection (d);

13                           (B) the results of the study required by  
14 Subdivision (1); and

15                           (C) the plan for testing students required by  
16 Subdivision (2).

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

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

27           (h) Subsection (b)(1) does not apply to the use by a student

1 of a steroid that is dispensed, prescribed, delivered, and  
2 administered by a medical practitioner for a valid medical purpose  
3 and in the course of professional practice.

4 (i) The league shall develop the educational program  
5 required by Subsection (c) not later than September 1, 2005. This  
6 subsection and Subsections (d), (e), and (f) expire January 15,  
7 2007.

8 SECTION 2. Subchapter A, Chapter 38, Education Code, is  
9 amended by adding Section 38.0081 to read as follows:

10 Sec. 38.0081. INFORMATION ABOUT STEROIDS. (a) The agency,  
11 in conjunction with the Department of State Health Services, shall:

12 (1) develop information about the use of anabolic  
13 steroids and the health risks involved with such use; and

14 (2) distribute the information to school districts.

15 (b) Each school district shall, at appropriate grade levels  
16 as determined by the State Board of Education, provide the  
17 information developed under Subsection (a) to district students,  
18 particularly to those students involved in extracurricular  
19 athletic activities.

20 SECTION 3. Sections 33.091 and 38.0081, Education Code, as  
21 added by this Act, apply beginning with the 2005-2006 school year.

22 SECTION 4. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2005.