

By: King of Parker

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. STEROID TESTING PROGRAM. (a) In this section:

(1) "Parent" includes a person standing in parental relation.

(2) "Steroid" means an anabolic steroid.

(b) A school district shall provide a steroid testing program consistent with this section under which district students who participate in a University Interscholastic League postseason athletic competition may be tested for the presence of steroids in the students' bodies.

(c) A school district shall randomly test a sample of students before any University Interscholastic League postseason athletic competition in which the students participate.

(d) If a student tests positive in a steroid test administered under this section, a second test must be administered as soon as practicable to confirm the positive test result. If the confirmation test result is positive, the principal of the school the student attends shall:

(1) notify and schedule a meeting with the student's parent; and

1           (2) suspend the student from participation in the  
2 University Interscholastic League athletic competition for the  
3 remainder of the postseason competition.

4           (e) A student is permanently prohibited from participating  
5 in any University Interscholastic League competition if the student  
6 is suspended from participation three times under Subsection (d).

7           (f) A school district shall pay the costs of administering  
8 the program and conducting the steroid tests.

9           (g) The University Interscholastic League shall adopt rules  
10 prohibiting a student from participating in an athletic competition  
11 sponsored or sanctioned by the league unless:

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

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

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

18                           (B) state law provides that body building, muscle  
19 enhancement, or the increase of muscle bulk or strength through the  
20 use of a steroid by a person who is in good health is not a valid  
21 medical purpose;

22                           (C) only a medical doctor may prescribe a steroid  
23 for a person; and

24                           (D) a violation of state law concerning steroids  
25 is a criminal offense punishable by confinement in jail or  
26 imprisonment in the institutional division of the Texas Department  
27 of Criminal Justice.

1       (h) Results of a steroid test conducted under this section  
2 are confidential and, unless required by court order, may be  
3 disclosed only to the student, the student's parent, the activity  
4 directors, the principal, and the assistant principals of the  
5 school. A school district shall ensure that the student's parent  
6 receives test results directly from the lab analyzing the test or  
7 from an appropriate person who is not employed by the district.

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.