

By: Geren

H.B. No. 3130

A BILL TO BE ENTITLED

AN ACT

relating to the registration of a referee of certain extracurricular athletic activities sponsored or sanctioned by certain public or private schools; providing penalties.

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

SECTION 1. Subtitle B, Title 13, Occupations Code, is amended by adding Chapter 2053 to read as follows:

CHAPTER 2053. REFEREES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 2053.001. DEFINITIONS. In this chapter:

(1) "Commission" means the Texas Commission of Licensing and Regulation.

(2) "Department" means the Texas Department of Licensing and Regulation.

(3) "Referee" means a person who:

(A) is present on the field or court during an athletic or sporting event; and

(B) exercises supervision over the event and its participants.

Sec. 2053.002. APPLICABILITY. This chapter applies only to a referee of an extracurricular athletic activity sponsored or sanctioned by a public or private elementary or secondary school who receives payment for the referee's services from the school, a school district, or an organization that contracts with the school

1 or school district to provide referee services.

2 Sec. 2053.003. PREEMPTION. A political subdivision of this  
3 state, the University Interscholastic League, a state agency, or  
4 another entity may not adopt a registration requirement for a  
5 referee to whom this chapter applies.

6 [Sections 2053.004-2053.100 reserved for expansion]

7 SUBCHAPTER B. DEPARTMENT POWERS AND DUTIES

8 Sec. 2053.101. GENERAL POWERS AND DUTIES. The department  
9 shall administer and enforce this chapter.

10 Sec. 2053.102. RULEMAKING AUTHORITY. The commission shall  
11 adopt rules necessary to administer and enforce this chapter.

12 [Sections 2053.103-2053.200 reserved for expansion]

13 SUBCHAPTER C. REGISTRATION REQUIREMENTS

14 Sec. 2053.201. REGISTRATION REQUIRED. A person may not act  
15 as a referee of an extracurricular athletic activity sponsored or  
16 sanctioned by a public or private elementary or secondary school  
17 and held in this state unless the person is an individual who is  
18 registered with the department under this chapter.

19 Sec. 2053.202. ELIGIBILITY FOR REGISTRATION. An individual  
20 is eligible for registration under this chapter if the individual:

21 (1) is at least 18 years of age; and

22 (2) satisfies the requirements of this chapter and  
23 rules adopted under this chapter.

24 Sec. 2053.203. APPLICATION REQUIREMENTS. An applicant for  
25 registration as a referee must apply on a form prescribed by the  
26 department and submit a registration fee in the amount set by the  
27 commission.

1       Sec. 2053.204. TERM OF REGISTRATION. A certificate of  
2 registration issued under this chapter is valid for the period  
3 prescribed by the commission.

4       [Sections 2053.205-2053.300 reserved for expansion]

5       SUBCHAPTER D. REFUSAL TO REGISTER AND DISCIPLINARY PROCEDURES

6       Sec. 2053.301. REFUSAL TO REGISTER; SUSPENSION OR  
7 REVOCAION OF REGISTRATION. The commission may refuse to register  
8 or suspend or revoke the certificate of registration of any person  
9 for:

10           (1) violating this chapter or a rule adopted under  
11 this chapter; or

12           (2) making a substantial misrepresentation in an  
13 application for registration.

14       [Sections 2053.302-2053.400 reserved for expansion]

15                   SUBCHAPTER E. ENFORCEMENT

16       Sec. 2053.401. DISCIPLINARY ACTION; ADMINISTRATIVE  
17 PENALTY. A person who violates this chapter or a rule adopted under  
18 this chapter is subject to any action or penalty authorized under  
19 Subchapter F or G, Chapter 51.

20       SECTION 2. (a) Not later than December 1, 2011, the Texas  
21 Commission of Licensing and Regulation shall adopt the rules,  
22 standards, procedures, and fees necessary to implement Chapter  
23 2053, Occupations Code, as added by this Act.

24       (b) Notwithstanding Section 2053.201, Occupations Code, as  
25 added by this Act, a referee is not required to register under that  
26 section before January 1, 2012.

27       SECTION 3. (a) Except as provided by Subsection (b) of this

1 section, this Act takes effect September 1, 2011.

2 (b) Subchapter E, Chapter 2053, Occupations Code, as added  
3 by this Act, takes effect January 1, 2012.