

## **BILL ANALYSIS**

C.S.H.B. 1775  
By: Thompson, Ed  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

For more than fifty years, sports officials have independently contracted with Texas school districts to provide officiating services for high school sporting events throughout the state. Sports officials have never been employed by, paid by, or under the authority of the University Interscholastic League (UIL). It has been reported that the UIL recently sought to create a UIL sports officials department and to require Texas school districts to utilize only sports officials registered with and under the regulatory oversight of the new department and there is concern that, without legislative guidance, such an arrangement will interfere with the independent nature of the profession. C.S.H.B. 1775 seeks to provide guidelines for the UIL's regulation of certain sports officials.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the University Interscholastic League in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 1775 amends the Education Code to authorize the University Interscholastic League (UIL) to require a sports official, as a condition of eligibility to officiate a contest sponsored by the UIL, to be registered with the UIL and comply with the bill's registration requirements, have completed initial and continuing education programs regarding UIL rules, be a member in good standing of a local chapter or association of sports officials recognized by the UIL for that purpose, and agree to abide by UIL rules, including fee schedules and travel reimbursement guidelines for payment by school districts or open-enrollment charter schools to a sports official.

C.S.H.B. 1775 requires a sports official, in registering with the UIL, to be required to provide directory information required by the UIL and submit to a criminal background check. The bill prohibits the UIL from charging a sports official who completes an initial or continuing education program regarding UIL rules a fee for more than one of those programs. The bill authorizes the UIL to charge and collect a registration fee only to defray the cost of registering sports officials and requires the UIL to post the amount of the fee on the UIL's Internet website and make the information available at other places the UIL determines appropriate. The bill limits the amount of the fee to the amount reasonably determined by the UIL to be necessary to cover the cost of administering registration.

C.S.H.B. 1775 authorizes the UIL to revoke or suspend UIL registration of a sports official determined by the UIL to have violated the provisions of the UIL constitution or contest rules governing sports officials or other UIL policy applicable to sports officials. The bill sets out procedures for such revocation or suspension. The bill requires the UIL to adopt rules to provide a sports official with the opportunity for an appeals process before the UIL revokes or suspends the sports official's registration. The bill requires the UIL, in adopting such rules, to make a determination of the actions and subsequent sanctions that would be considered sufficient.

C.S.H.B. 1775 prohibits the UIL from sponsoring or organizing or attempting to sponsor or organize any association of sports officials in which the majority of the membership is composed of sports officials who officiate team sports. The bill authorizes the UIL to set rates or fee schedules payable by a school district or open-enrollment charter school to a sports official. The bill requires the UIL, before the UIL may take any action that amends rules related to the activities of sports officials, other than a revocation or suspension action against an individual sports official, to submit the proposed action for public review and comment and specifies the manner in which notice of the proposed action must be given.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1775 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

SECTION 1. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.085 to read as follows:

Sec. 33.085. AUTHORITY OF UNIVERSITY INTERSCHOLASTIC LEAGUE REGARDING ACTIVITIES INVOLVING SPORTS OFFICIALS.

(a) In this section, "sports official":

(1) means a person who officiates, judges, or in any manner enforces contest rules in any official capacity with respect to an interscholastic, intercollegiate, or other organized amateur or professional athletic competition; and

(2) includes a referee, umpire, linesman, side judge, track or field marshal, timekeeper, down marker, or scorekeeper or any other person similarly involved in supervising competitive play.

(b) The University Interscholastic League may not register, charge fees to, or require membership in or attempt to register, charge fees to, or require membership in any sponsoring organization of sports officials as a precondition for a sports official to contract with a school district or open-

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.085 to read as follows:

Sec. 33.085. AUTHORITY OF UNIVERSITY INTERSCHOLASTIC LEAGUE REGARDING ACTIVITIES INVOLVING SPORTS OFFICIALS. (a) In this section:

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

(2) "Sports official" means a person who officiates, judges, or in any manner enforces contest rules in any official capacity with respect to and during the course of an interscholastic athletic team competition and who is a member of a league-recognized local chapter or association of sports officials.

The term includes a referee, umpire, linesman, judge, or any other person similarly involved in supervising competitive play. The term does not include a league board member or a league official who is acting in an official capacity to supervise, administer, or enforce the league constitution or league contest rules.

No equivalent provision.

enrollment charter school.

No equivalent provision.

(b) The league may require a sports official, as a condition of eligibility to officiate a contest sponsored by the league, to:

(1) be registered with the league and comply with the registration requirements of Subsection (c);

(2) have completed initial and continuing education programs regarding league rules;

(3) be a member in good standing of a local chapter or association of sports officials recognized by the league for that purpose; and

(4) agree to abide by league rules, including fee schedules and travel reimbursement guidelines for payment by school districts or open-enrollment charter schools to a sports official.

No equivalent provision.

(c) In registering with the league, a sports official must be required to provide directory information required by the league and submit to a criminal background check.

No equivalent provision.

(d) The league may not charge a sports official who completes a program under Subsection (b)(2) a fee for more than one program described by Subsection (b)(2).

No equivalent provision.

(e) The league may charge and collect a registration fee only to defray the cost of registering sports officials and shall post the amount of the fee on the league's Internet website and make the information available at other places the league determines appropriate. The amount of the fee may not exceed the amount reasonably determined by the league to be necessary to cover the cost of administering registration.

No equivalent provision.

(f) The league may revoke or suspend the league registration of a sports official determined by the league to have violated the provisions of the league constitution or contest rules governing sports officials or other league policy applicable to sports officials. Before the league may take action to revoke or suspend a sports official's registration, the league shall notify and consult with the local chapter or association of sports officials of which the sports official is a member. The local chapter or association may, on or before the 15th day after the date notice is received from the league, take action to adjudicate the alleged violation. If after the 15th day after the date notice is received from the league the local chapter or association has failed to take

action against the sports official or takes action that the league finds to be insufficient, the league may take action against the sports official. The league shall adopt rules to provide a sports official with the opportunity for an appeals process before the league revokes or suspends the sports official's registration. In adopting rules under this subsection, the league shall make a determination of the actions and subsequent sanctions that would be considered sufficient under this subsection.

(c) The University Interscholastic League may not sponsor or organize or attempt to sponsor or organize any organization of sports officials.

(g) The league may not sponsor or organize or attempt to sponsor or organize any association of sports officials in which the majority of the membership is composed of sports officials who officiate team sports.

(d) The University Interscholastic League may not influence or attempt to influence the selection of a sports official by a school district or open-enrollment charter school.

(e) The University Interscholastic League may set rates or fee schedules payable by a school district or open-enrollment charter school to a sports official.

(h) The league may set rates or fee schedules payable by a school district or open-enrollment charter school to a sports official.

(f) Before the University Interscholastic League takes any action that relates to the activities of a sports official, the league must submit the proposed action to the interscholastic league advisory council for review and comment.

(i) Before the league may take any action that amends rules related to the activities of sports officials, other than an action against an individual sports official under Subsection (f), the league must submit the proposed action for public review and comment, including:

(1) notifying registered sports officials of the proposed action by e-mail not later than the 30th day before the date set for action on the proposal; and

(2) posting the proposal on the league's Internet website for at least 30 consecutive days before the date set for action on the proposal.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 2. Same as introduced version.