

By: Gutierrez

H.B. No. 1895

A BILL TO BE ENTITLED

AN ACT

relating to scholarship and insurance payments for student athletes at certain public institutions of higher education.

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

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9246 to read as follows:

Sec. 51.9246. SCHOLARSHIP AND INSURANCE PAYMENTS FOR CERTAIN STUDENT ATHLETES. (a) In this section, "media rights" means the rights to media coverage of intercollegiate athletics included in contracts between intercollegiate athletic conferences and television networks that generate monetary payments to individual institutions of higher education.

(b) This section applies only to an institution of higher education that receives an average of at least \$10 million in annual revenue derived from media rights.

(c) If the athletic program of an institution of higher education to which this section applies does not renew the athletic scholarship of a student athlete who suffers an incapacitating injury or illness resulting from the student athlete's participation in the athletic program and is determined to be medically ineligible to participate in intercollegiate athletics, the institution shall award to the student athlete a scholarship in an amount that, when combined with the amount of the scholarship funds previously awarded to the student athlete by the institution,

1 will cover the costs of tuition and mandatory fees for the student
2 athlete's enrollment in the institution for a period of four
3 academic years or the period required for the student athlete to
4 complete the student athlete's undergraduate degree, whichever
5 period is shorter. An institution may award a scholarship under
6 this subsection for a period longer than otherwise required by this
7 subsection.

8 (d) The athletic program of an institution of higher
9 education to which this section applies shall, for the duration of
10 the period in which a student athlete is participating in the
11 athletic program, pay premiums for health insurance that covers
12 claims resulting from the student athlete's participation in the
13 athletic program for the student athlete if the student athlete's
14 household income is below the level established by the Texas Higher
15 Education Coordinating Board for purposes of this subsection.

16 (e) Subject to Subsection (f), the athletic program of an
17 institution of higher education to which this section applies shall
18 pay any deductible required under a student athlete's insurance
19 policy for a claim made by the student athlete for an injury or
20 illness resulting from the student athlete's participation in the
21 athletic program.

22 (f) If a student athlete participating in an athletic
23 program of an institution of higher education to which this section
24 applies suffers an injury or illness resulting from the student
25 athlete's participation that requires ongoing treatment, the
26 athletic program shall provide, for the duration of the period in
27 which the student athlete is enrolled at the institution and for a

1 period of not less than two years following the student athlete's
2 graduation or other separation from the institution:

3 (1) necessary medical treatment at no cost to the
4 student athlete; or

5 (2) payment for insurance premiums and any required
6 deductible under an insurance plan for the student athlete that
7 covers treatment for the student athlete's injury or illness.

8 (g) An institution of higher education to which this section
9 applies may use only revenue derived from media rights to pay a cost
10 associated with the requirements of this section.

11 SECTION 2. (a) Section 51.9246(c), Education Code, as
12 added by this Act, applies beginning with athletic scholarships
13 awarded by an institution of higher education for the 2015-2016
14 academic year.

15 (b) Section 51.9246(d), Education Code, as added by this
16 Act, applies to insurance premium payments for a student athlete
17 participating in the athletic program of an institution of higher
18 education on or after January 1, 2016.

19 (c) Section 51.9246(e), Education Code, as added by this
20 Act, applies to an insurance claim made by a student athlete on or
21 after the effective date of this Act.

22 (d) Section 51.9246(f), Education Code, as added by this
23 Act, applies to an injury or illness that occurs on or after the
24 effective date of this Act.

25 SECTION 3. Not later than December 31, 2015, the Texas
26 Higher Education Coordinating Board shall establish the threshold
27 household income to be used for purposes of Section 51.9246(d),

1 Education Code, as added by this Act.

2 SECTION 4. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2015.