

By: Ellis

S.B. No. 265

A BILL TO BE ENTITLED

AN ACT

relating to student use of sunscreen products in public schools.

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

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.021 to read as follows:

Sec. 38.021. USE OF SUNSCREEN PRODUCTS. (a) A student may possess and use a topical sunscreen product while on school property or at a school-related event or activity to avoid overexposure to the sun and not for the medical treatment of an injury or illness if the product is approved by the federal Food and Drug Administration for over-the-counter use.

(b) School personnel may assist an elementary school student in applying a topical sunscreen product if the school has received a written request from the student's parent or person standing in parental relation to the student requesting school personnel to assist the student in applying the product. This subsection does not require school personnel to assist a student in applying a topical sunscreen product.

(c) This section does not:

(1) waive any immunity from liability of a school district, its board of trustees, or its employees; or

(2) create any liability for or a cause of action against a school district, its board of trustees, or its employees.

SECTION 2. This Act applies beginning with the 2015-2016

1 school year.

2       SECTION 3. 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.