

1-1 By: Ellis S.B. No. 265  
1-2 (In the Senate - Filed December 19, 2014; January 28, 2015,  
1-3 read first time and referred to Committee on Education;  
1-4 April 16, 2015, reported favorably by the following vote: Yeas 10,  
1-5 Nays 1; April 16, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Taylor of Galveston	X		
1-9	Lucio	X		
1-10	Bettencourt	X		
1-11	Campbell	X		
1-12	Garcia	X		
1-13	Huffines	X		
1-14	Kolkhorst	X		
1-15	Rodríguez	X		
1-16	Seliger	X		
1-17	Taylor of Collin		X	
1-18	West	X		

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to student use of sunscreen products in public schools.  
1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-23 SECTION 1. Subchapter A, Chapter 38, Education Code, is  
1-24 amended by adding Section 38.021 to read as follows:

1-25 Sec. 38.021. USE OF SUNSCREEN PRODUCTS. (a) A student may  
1-26 possess and use a topical sunscreen product while on school  
1-27 property or at a school-related event or activity to avoid  
1-28 overexposure to the sun and not for the medical treatment of an  
1-29 injury or illness if the product is approved by the federal Food and  
1-30 Drug Administration for over-the-counter use.

1-31 (b) School personnel may assist an elementary school  
1-32 student in applying a topical sunscreen product if the school has  
1-33 received a written request from the student's parent or person  
1-34 standing in parental relation to the student requesting school  
1-35 personnel to assist the student in applying the product. This  
1-36 subsection does not require school personnel to assist a student in  
1-37 applying a topical sunscreen product.

1-38 (c) This section does not:

1-39 (1) waive any immunity from liability of a school  
1-40 district, its board of trustees, or its employees; or

1-41 (2) create any liability for or a cause of action  
1-42 against a school district, its board of trustees, or its employees.

1-43 SECTION 2. This Act applies beginning with the 2015-2016  
1-44 school year.

1-45 SECTION 3. This Act takes effect immediately if it receives  
1-46 a vote of two-thirds of all the members elected to each house, as  
1-47 provided by Section 39, Article III, Texas Constitution. If this  
1-48 Act does not receive the vote necessary for immediate effect, this  
1-49 Act takes effect September 1, 2015.

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