

BILL ANALYSIS

C.S.H.B. 1075
By: Thompson, Ed
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties suggest that the law relating to criminal background checks for sports officials registered with the University Interscholastic League is vague and open to interpretation. C.S.H.B. 1075 seeks to add clarity to that law.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1075 amends the Education Code to replace the requirement that a sports official registering with the University Interscholastic League (UIL) submit to a criminal background check with a requirement that such a sports official undergo an initial criminal background check. The bill requires a sports official to maintain compliance with conditions of eligibility required by the UIL and to undergo a subsequent criminal background check once every three years following the date of the initial check to maintain registration with the UIL. The bill applies to each sports official authorized to officiate a UIL-sponsored contest, regardless of whether the official initially registered with the UIL before the bill's effective date, and requires the UIL to ensure that each official registered before the bill's effective date undergoes a subsequent criminal background check not later than September 1, 2020.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1075 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 33.085, Education Code, is amended by amending Subsections

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 33.085, Education Code, is amended by amending Subsections

85R 25289

17.112.450

Substitute Document Number: 85R 19355

(b), (c), and (e), and adding Subsection (c-1) to read as follows:

(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 Subsections [Subsection] (c) and (c-1);

(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.

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

(c-1) To maintain registration with the league, a sports official must be required to submit to a subsequent criminal background check once every three years following the initial criminal background check under Subsection (c).

(e) The league may charge and collect a registration fee only to defray the cost of registering sports officials under Subsection (c). The league may charge and collect a criminal background check fee only to defray the cost of administering Subsection (c-1). The league [and] shall post the amount of the applicable fees [the fee] on the league's Internet website and make the information available at other places the league determines appropriate. The amount of each [the] fee may not exceed the amount reasonably determined by the league to be necessary to cover the cost, as applicable, of administering registration under Subsection (c) or administering Subsection (c-1).

SECTION 2. (a) Section 33.085, Education Code, as amended by this Act, applies to each sports official authorized to officiate a contest sponsored by the University Interscholastic League, regardless of

(b) and (c) and adding Subsection (c-1) to read as follows:

(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 Subsections [Subsection] (c) and (c-1);

(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.

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

(c-1) To maintain registration with the league, a sports official must:

(1) maintain compliance with conditions of eligibility required by the league under Subsection (b); and

(2) undergo a subsequent criminal background check once every three years following the date of the initial criminal background check under Subsection (c).

SECTION 2. (a) Section 33.085, Education Code, as amended by this Act, applies to each sports official authorized to officiate a contest sponsored by the University Interscholastic League, regardless of

whether an official initially registered with the league under that section before the effective date of this Act.

(b) The University Interscholastic League shall ensure that each sports official registered under Section 33.085, Education Code, before the effective date of this Act **submits to** a subsequent criminal background check not later than September 1, 2020.

SECTION 3. This Act takes effect September 1, 2017.

whether an official initially registered with the league under that section before the effective date of this Act.

(b) The University Interscholastic League shall ensure that each sports official registered under Section 33.085, Education Code, before the effective date of this Act **undergoes** a subsequent criminal background check not later than September 1, 2020.

SECTION 3. Same as introduced version.