

By: Hefner

H.B. No. 96

A BILL TO BE ENTITLED

AN ACT

relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

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

SECTION 1. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.0834 to read as follows:

Sec. 33.0834. INTERSCHOLASTIC ATHLETIC COMPETITION BASED ON BIOLOGICAL SEX. (a) Except as provided by Subsection (b), an interscholastic athletic team sponsored or authorized by a school district or open-enrollment charter school may not allow a student to compete in an interscholastic athletic competition sponsored or authorized by the district or school that is designated for the biological sex opposite to the student's biological sex as correctly stated on:

(1) the student's official birth certificate, as described by Subsection (c); or

(2) if the student's official birth certificate described by Subdivision (1) is unobtainable, another government record.

(b) An interscholastic athletic team described by Subsection (a) may allow a female student to compete in an interscholastic athletic competition that is designated for male students if a corresponding interscholastic athletic competition designated for female students is not offered or available.

1 (c) For purposes of this section, a statement of a student's
2 biological sex on the student's official birth certificate is
3 considered to have correctly stated the student's biological sex
4 only if the statement was:

5 (1) entered at or near the time of the student's birth;

6 or

7 (2) modified to correct a clerical error in the
8 student's biological sex.

9 (d) The University Interscholastic League shall adopt rules
10 to implement this section, provided that the rules must be approved
11 by the commissioner in accordance with Section 33.083(b).

12 SECTION 2. This Act applies beginning with the 2021-2022
13 school year.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect on the 91st day after the last day of the
19 legislative session.