

By: Guillen

H.B. No. 204

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the safety of a referee, judge, or other official at a
3 public school extracurricular activity and prohibiting certain
4 conduct by a spectator related to those officials' safety.

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

6 SECTION 1. Section 33.081, Education Code, is amended by
7 adding Subsection (f-1) and amending Subsection (g) to read as
8 follows:

9 (f-1) A spectator of a University Interscholastic League
10 competition, including a parent or guardian of a student
11 participant, shall be prohibited from attending any future
12 extracurricular activity sponsored or sanctioned by the school
13 district or the University Interscholastic League if the spectator
14 engages in conduct that intentionally, knowingly, or recklessly
15 causes bodily injury to a person serving as referee, judge, or other
16 official of an extracurricular activity in retaliation for or as a
17 result of the person's actions taken in performing the duties of a
18 referee, judge, or other official of the extracurricular activity.

19 (g) An appeal to the commissioner is not a contested case
20 under Chapter 2001, Government Code, if the issues presented relate
21 to a person's [~~student's~~] eligibility to participate in or attend an
22 extracurricular activity [~~activities~~], including issues related to
23 a [~~the~~] student's grades, the school district's grading policy as
24 applied to a [~~the~~] student's eligibility, a [~~or the~~] student's

1 eligibility based on conduct described by Subsection (e-1), or a
2 spectator's eligibility to attend an extracurricular activity
3 under Subsection (f-1). The commissioner may delegate the matter
4 for decision to a person the commissioner designates. The decision
5 of the commissioner or the commissioner's designee in a matter
6 governed by this subsection may not be appealed except on the
7 grounds that the decision is arbitrary or capricious. Evidence may
8 not be introduced on appeal other than the record of the evidence
9 before the commissioner.

10 SECTION 2. Subchapter D, Chapter 33, Education Code, is
11 amended by adding Section 33.098 to read as follows:

12 Sec. 33.098. SAFETY OF OFFICIAL. A school district or
13 open-enrollment charter school that holds an extracurricular
14 activity or a University Interscholastic League competition on
15 district or school property shall provide a peace officer, school
16 resource officer, or security personnel to ensure the safety of a
17 referee, judge, or other official of the activity or competition
18 until the official departs district or school property if:

19 (1) a participant or spectator of the activity or
20 competition engages in, attempts to engage in, or threatens violent
21 conduct against the official or otherwise disrupts the duties or
22 free movement of the official; or

23 (2) the district or school reasonably suspects that an
24 incident described by Subdivision (1) may occur at the activity or
25 competition.

26 SECTION 3. This Act applies beginning with the 2022-2023
27 school year.

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1 SECTION 4. This Act takes effect on the 91st day after the
2 last day of the legislative session.