

## **BILL ANALYSIS**

C.S.H.B. 1080  
By: Patterson  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding certain limitations imposed on participation in University Interscholastic League (UIL) activities. It has been suggested that students who are outpatients at mental health facilities may be excluded from participating in these activities given certain factors, such as the student's absence during instruction time while receiving the services. C.S.H.B. 1080 seeks to remedy this situation by prohibiting the UIL, school districts, and open-enrollment charter schools from adopting or enforcing policies that restrict a student from participating in UIL activities based on the student receiving those services.

### **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. 1080 amends the Education Code to require the University Interscholastic League (UIL) to ensure that its rules do not exclude from eligibility for participation in a UIL activity a student who meets the following criteria:

- receives outpatient mental health services from a mental health facility; and
- is enrolled in or otherwise receives public education services from a public school district or open-enrollment charter school.

The bill specifies that the UIL may not exclude the student from the eligibility to participate in a UIL activity based solely on the student receiving those services.

C.S.H.B. 1080 prohibits a district and charter school from adopting or enforcing policies that restrict such a student's participation in UIL activities based solely on the student receiving those services or on the student's absence during instructional time while receiving the services. The bill does not exempt an applicable student from any eligibility requirement for participation in UIL activities other than an eligibility requirement based solely on the student receiving those services. The bill requires the proposal or amendment of rules and policies by the UIL, a district, and charter school, as necessary and as applicable, as soon as practicable after the bill's effective date.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

## **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1080 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The original prohibited the UIL, a district, or charter school from excluding the student from participation in UIL activities, whereas the substitute includes a specification prohibiting that exclusion based solely on the student receiving the services or on the student's absence during instructional time while receiving the services, as applicable.

The substitute does not include the original's requirement for the commissioner of education to adopt rules ensuring that the student has reasonable opportunities to participate in UIL activities, but does include a provision absent from the original establishing that the bill's provisions do not exempt the student from any eligibility requirement for participation in UIL activities other than an eligibility requirement based solely on the student receiving the services.