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2 relating to prohibiting a student from participating in future extracurricular activities for certain conduct involving the 3 assault of an extracurricular activity official. 4 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 Subsections (e-1), (e-2), (e-3), (e-4), and (h) and amending Subsections (f) and (g) to read as follows: 8 9 (e-1) A student who is enrolled in a school district in this state or who participates in a University Interscholastic League 10 competition shall be prohibited from participation in any future 11 12 extracurricular activity sponsored or sanctioned by the school district or the University Interscholastic League if the state 13 14 executive committee of the league determines that the student intentionally, knowingly, or recklessly causes bodily injury to a 15 person serving as referee, judge, or other official of an 16 extracurricular activity in retaliation for or as a result of the 17 person's actions taken in performing the duties of a referee, 18 judge, or other official of the extracurricular activity. 19 (e-2) A student prohibited from participation in an 20 extracurricular activity under Subsection (e-1) may submit to the 21 University Interscholastic League a request that the student be 22 23 permitted to participate in future extracurricular activities sponsored or sanctioned by the University Interscholastic League 24

AN ACT

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1	<u>if:</u>
2	(1) the request is submitted at least:
3	(A) one year after the date the student engaged
4	in the conduct that resulted in the prohibition under Subsection
5	(e-1) if the student was enrolled in eighth grade or below at the
6	time of the conduct; or
7	(B) two years after the date the student engaged
8	in the conduct that resulted in the prohibition under Subsection
9	(e-1) if the student was enrolled in ninth grade or above at the
10	time of the conduct;
11	(2) the student:
12	(A) completed a course in anger management since
13	engaging in the conduct that resulted in the prohibition under
14	Subsection (e-1);
15	(B) completed any other course, activity, or
16	action required by the school district in which the student is
17	enrolled as a result of the conduct that resulted in the prohibition
18	under Subsection (e-1); and
19	(C) demonstrates, to the satisfaction of the
20	school district and the University Interscholastic League, that the
21	student has been rehabilitated and is unlikely to again engage in
22	the conduct described by Subsection (e-1); and
23	(3) a previous request submitted by the student under
24	this section has not been denied during the school year in which the
25	request is submitted.
26	(e-3) When determining whether to grant a request under
27	Subsection (e-2), the University Interscholastic League:

- 1 (1) shall take into account the severity of the
- 2 conduct that resulted in the prohibition under Subsection (e-1);
- 3 and
- 4 (2) may set conditions for the student's future
- 5 participation in extracurricular activities.
- 6 (e-4) The University Interscholastic League may prohibit a
- 7 student from participating in any future extracurricular activity
- 8 sponsored or sanctioned by the University Interscholastic League if
- 9 the student violates a condition set by the University
- 10 Interscholastic League under Subsection (e-3)(2).
- 11 (f) Except for a student prohibited from participation
- 12 under Subsection (e-1), a [A] student suspended under this section
- 13 may practice or rehearse with other students for an extracurricular
- 14 activity but may not participate in a competition or other public
- 15 performance.
- 16 (g) An appeal to the commissioner is not a contested case
- 17 under Chapter 2001, Government Code, if the issues presented relate
- 18 to a student's eligibility to participate in extracurricular
- 19 activities, including issues related to the student's grades, [ex]
- 20 the school district's grading policy as applied to the student's
- 21 eligibility, or the student's eligibility based on conduct
- 22 described by Subsection (e-1). The commissioner may delegate the
- 23 matter for decision to a person the commissioner designates. The
- 24 decision of the commissioner or the commissioner's designee in a
- 25 matter governed by this subsection may not be appealed except on the
- 26 grounds that the decision is arbitrary or capricious. Evidence may
- 27 not be introduced on appeal other than the record of the evidence

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- 1 before the commissioner.
- 2 (h) A request made under Subsection (e-2) is not a contested
- 3 <u>case subject to Chapter 2001, Government Code.</u>
- 4 SECTION 2. This Act applies beginning with the 2021-2022
- 5 school year.
- 6 SECTION 3. This Act takes effect immediately if it receives
- $7\,$ a vote of two-thirds of all the members elected to each house, as
- 8 provided by Section 39, Article III, Texas Constitution. If this
- 9 Act does not receive the vote necessary for immediate effect, this
- 10 Act takes effect September 1, 2021.

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President of the Senate	Speaker of the House
I certify that H.B. No. 2723	l was passed by the House on May 8,
2021, by the following vote: Y	eas 135, Nays 4, 2 present, not
voting; and that the House concur	rred in Senate amendments to H.B.
No. 2721 on May 28, 2021, by the f	ollowing vote: Yeas 142, Nays 3,
1 present, not voting.	
	Chief Clerk of the House
I certify that H.B. No. 272	21 was passed by the Senate, with
amendments, on May 20, 2021, by t	he following vote: Yeas 31, Nays
0.	
	Secretary of the Senate
APPROVED:	
Date	
Governor	