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By:  Jones of Harris H.B. No. 2631

A BILL TO BE ENTITLED

AN ACT

relating to the withdrawal or revocation of an athletic scholarship by a public institution of higher education on the basis of a student athlete's injury, illness, or disability.

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

SECTION 1.  Subchapter A, Chapter 56, Education Code, is amended by adding Section 56.0093 to read as follows:

Sec. 56.0093.  WITHDRAWAL OR REVOCATION OF CERTAIN ATHLETIC SCHOLARSHIPS. (a) In this section, "athletic scholarship" means a scholarship, grant, or similar financial assistance awarded to a student for a period of at least one academic year that is conditioned on the student's participation in intercollegiate athletics.

(b)  Subject to Subsection (c), an institution of higher education may not withdraw or revoke the athletic scholarship of a student athlete on the basis that the student athlete suffered an injury, illness, or disability, including a mental illness or disability, that renders the student athlete unable to participate in intercollegiate athletics, regardless of whether the injury, illness, or disability is temporary or permanent or resulted from the student athlete's participation in an athletic program at the institution.

(c)  An institution of higher education may withdraw or revoke the athletic scholarship of a student athlete who suffers an injury, illness, or disability described by Subsection (b) if the student athlete's injury, illness, or disability resulted from the student athlete's violation of the institution's student code of conduct.

(d)  The Texas Higher Education Coordinating Board shall adopt rules as necessary to implement and enforce this section.

SECTION 2.  Section 56.0093, Education Code, as added by this Act, applies beginning with athletic scholarships, grants, or similar financial assistance initially awarded to student athletes for the 2023-2024 academic year.

SECTION 3.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.