88R14424 PRL-D

By:  Gervin-Hawkins H.B. No. 4460

A BILL TO BE ENTITLED

AN ACT

relating to the transfer for an athletic participation purpose of a student from the school district of the student's residence to another district.

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

SECTION 1.  Section 25.036, Education Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  Any child, other than a high school graduate, who is younger than 19 years of age and eligible for enrollment in grades 9 through 12 on September 1 of any school year may transfer not more than once for an athletic participation purpose from the child's school district of residence to another district in this state if both the receiving district and the applicant parent or person standing in parental relation to the applicant jointly approve and timely agree in writing to the transfer for an athletic participation purpose. The receiving district may not deny a transfer application under this subsection on the basis of a child's sex, race, national origin, ancestral language, or disability. A transfer under this subsection remains effective until the child graduates from the receiving district, unless the transfer student withdraws from the receiving district.

SECTION 2.  Section 33.081, Education Code, is amended by adding Subsection (b-1) to read as follows:

(b-1)  The University Interscholastic League may not penalize or sanction a student for transferring to a school district for an athletic participation purpose, or penalize or sanction the school district that receives the transferring student, if the transfer meets the requirements of Section 25.036(a-1).

SECTION 3.  This Act applies beginning with the 2023-2024 school year.

SECTION 4.  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.