

By: Jones of Harris

H.B. No. 3583

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of youth sports programs;  
providing civil and administrative penalties; authorizing fees.

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

SECTION 1. Subtitle B, Title 13, Occupations Code, is  
amended by adding Chapter 2053 to read as follows:

CHAPTER 2053. YOUTH SPORTS PROGRAMS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 2053.001. DEFINITIONS. In this chapter:

(1) "Advisory board" means the youth sports program  
advisory board.

(2) "Commission" means the Texas Commission of  
Licensing and Regulation.

(3) "Department" means the Texas Department of  
Licensing and Regulation.

(4) "Executive director" means the executive director  
of the department.

(5) "Youth sports program" means an organized  
competitive sports program that:

(A) provides instruction for an Olympic or  
University Interscholastic League sponsored or sanctioned sport;

(B) is not associated with a school; and

(C) instructs children who are enrolled in  
kindergarten through 12th grade in a public, private, or charter

school or children of similar age who are provided an education in a home setting.

SUBCHAPTER B. YOUTH SPORTS PROGRAM ADVISORY BOARD

Sec. 2053.051. YOUTH SPORTS PROGRAM ADVISORY BOARD. (a)

The youth sports program advisory board consists of nine members appointed by the presiding officer of the commission with the approval of the commission, as follows:

(1) two members who are physicians licensed in this state specializing in orthopedic surgery and sports medicine;

(2) two members who are physicians licensed in this state specializing in neurology;

(3) one member who is a psychologist licensed in this state specializing in youth psychology;

(4) one member who is the current or former chief law enforcement officer of a county or municipality; and

(5) three members who represent the public.

(b) Appointments to the advisory board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

Sec. 2053.052. TERMS. Members of the advisory board serve staggered six-year terms, with the terms of three members expiring January 31 of each odd-numbered year.

Sec. 2053.053. VACANCY. If a vacancy occurs during a term of a member of the advisory board, the presiding officer of the commission, with the commission's approval, shall appoint a replacement who meets the qualifications for the vacant position to serve for the remainder of the term.

1       Sec. 2053.054. PRESIDING OFFICER. (a) The presiding  
2 officer of the commission shall designate a member of the advisory  
3 board to serve as the presiding officer of the advisory board for a  
4 term of two years.

5       (b) The presiding officer of the advisory board may vote on  
6 any matter before the advisory board.

7       Sec. 2053.055. DUTIES OF ADVISORY BOARD. The advisory  
8 board shall provide advice and recommendations to the department on  
9 technical matters relevant to the administration of this chapter.

10       SUBCHAPTER C. POWERS AND DUTIES OF COMMISSION AND DEPARTMENT

11       Sec. 2053.101. GENERAL POWERS AND DUTIES. The department  
12 shall:

- 13               (1) administer and enforce this chapter;  
14               (2) evaluate the qualifications of license  
15 applicants;  
16               (3) issue licenses;  
17               (4) in connection with a hearing under this chapter,  
18 issue subpoenas, examine witnesses, and administer oaths under the  
19 laws of this state; and  
20               (5) investigate persons engaging in practices that  
21 violate this chapter.

22       Sec. 2053.102. RULES. The commission shall adopt rules  
23 consistent with this chapter for the administration and enforcement  
24 of this chapter.

25       Sec. 2053.103. FEES. The commission by rule shall set fees  
26 in amounts reasonable and necessary to cover the costs of  
27 administering this chapter.

1       Sec. 2053.104. REPORT OF VIOLATIONS AND OTHER SAFETY  
2 CONCERNS. The department shall establish and maintain a toll-free  
3 telephone number for reporting suspected violations of this chapter  
4 or rules adopted under this chapter and other safety concerns.

5       Sec. 2053.105. EVALUATION OF CONCUSSION PROTOCOL. (a) The  
6 department shall evaluate a concussion protocol submitted by a  
7 youth sports program for the department's approval as required by  
8 Section 2053.202.

9       (b) The commission by rule shall establish criteria for the  
10 approval of a concussion protocol under this section.

11       Sec. 2053.106. EVALUATION OF VENUE SAFETY PROTOCOL. (a)  
12 The department shall evaluate a venue safety protocol submitted by  
13 a youth sports program for the department's approval as required by  
14 Section 2053.203.

15       (b) The commission by rule shall establish criteria for the  
16 approval of a venue safety protocol under this section.

17                       SUBCHAPTER D. LICENSE

18       Sec. 2053.151. LICENSE REQUIRED. A person may not operate a  
19 youth sports program unless the person holds a license issued in  
20 accordance with this chapter.

21       Sec. 2053.152. APPLICATION; FEE. An applicant for a  
22 license under this chapter must:

23               (1) submit an application in the manner and on a form  
24 prescribed by the department; and

25               (2) pay the application fee set by commission rule.

26       Sec. 2053.153. ELIGIBILITY. To be eligible for a license  
27 under this chapter, a license applicant must satisfy the

eligibility requirements established by commission rule.

Sec. 2053.154. ISSUANCE. The commission shall issue a license to an applicant if the commission finds the applicant satisfies the requirements of this chapter and commission rules.

Sec. 2053.155. TERM. A license issued under this chapter is valid for the term established by commission rule.

Sec. 2053.156. RENEWAL. A license issued under this chapter may be renewed as provided by commission rules.

SUBCHAPTER E. OPERATION OF YOUTH SPORTS PROGRAMS

Sec. 2053.201. SAFETY TRAINING REQUIRED. An individual may not serve as a coach or trainer for a youth sports program unless the person successfully completes a safety training course that is substantially similar to the extracurricular activity safety training program developed and adopted by the University Interscholastic League under Section [33.202](#), Education Code.

Sec. 2053.202. CONCUSSION PROTOCOL REQUIRED. A person may not operate a youth sports program unless the person develops and implements a concussion protocol for the program that is approved by the department in accordance with Section 2053.105.

Sec. 2053.203. VENUE SAFETY PROTOCOL REQUIRED. A person may not operate a youth sports program unless the person develops and implements a venue safety protocol that is approved by the department in accordance with Section 2053.106 for the venue at which the program will operate.

SUBCHAPTER F. DISCIPLINARY ACTIONS AND ENFORCEMENT PROCEDURES

Sec. 2053.251. DISCIPLINARY ACTION. In accordance with Section [51.353](#), the commission or executive director may deny,

1 revoke, or suspend a license, refuse to renew a license, place on  
2 probation a person whose license has been suspended, or reprimand a  
3 license holder for a violation of this chapter, a rule adopted under  
4 this chapter, or an order of the commission or executive director.

5 Sec. 2053.252. ENFORCEMENT PROCEDURES. The commission,  
6 department, or executive director may enforce this chapter, a rule  
7 adopted under this chapter, or an order of the commission or  
8 executive director as provided by Subchapters F and G, Chapter 51.

9 SECTION 2. Not later than May 1, 2024, the Texas Commission  
10 of Licensing and Regulation shall adopt the rules, procedures, and  
11 fees necessary to administer Chapter 2053, Occupations Code, as  
12 added by this Act.

13 SECTION 3. (a) Not later than January 1, 2024, the presiding  
14 officer of the Texas Commission of Licensing and Regulation shall  
15 appoint members to the advisory board created under Section  
16 2053.051, Occupations Code, as added by this Act.

17 (b) Notwithstanding Section 2053.053, Occupations Code, as  
18 added by this Act, in making the initial appointments to the  
19 advisory board, the presiding officer of the commission shall  
20 designate three members to serve terms expiring January 31, 2025,  
21 three members to serve terms expiring January 31, 2027, and three  
22 members to serve terms expiring January 31, 2029.

23 SECTION 4. (a) Except as provided by Subsection (b) of this  
24 section, this Act takes effect September 1, 2023.

25 (b) Section 2053.151, Occupations Code, as added by this  
26 Act, and Subchapter F, Chapter 2053, Occupations Code, as added by  
27 this Act, take effect September 1, 2024.