

By: Gervin-Hawkins

H.B. No. 4460

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

24 (b-1) The University Interscholastic League may not

1 penalize or sanction a student for transferring to a school  
2 district for an athletic participation purpose, or penalize or  
3 sanction the school district that receives the transferring  
4 student, if the transfer meets the requirements of Section  
5 [25.036\(a-1\)](#).

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

8 SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section [39](#), Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2023.