

BILL ANALYSIS

Senate Research Center

S.B. 401
By: Paxton
Education K-16
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 547, passed by the 87th Legislature, enabled public school districts to extend the option of University Interscholastic League (UIL) participation to homeschool students who live within the district's borders.

S.B. 401 simplifies the process of accessing UIL for homeschool families by allowing local school districts to choose to opt-out of permitting homeschool students to participate in their UIL activities, rather than the burden being on parents to convince their local school board to opt-in. Whether or not to allow homeschool students to participate in UIL activities still remains optional for school districts.

If the school districts decline to allow homeschool students to participate in UIL activities, S.B. 401 also provides another option for the homeschool students residing within the borders of those school districts by authorizing homeschool students who reside within the borders of a school district that has declined to permit homeschool students to participate in UIL activities to instead participate through the closest school district that allows homeschool student UIL participation.

The substitute makes the bill into a Texas Legislative Council draft.

S.B. 401 amends current law relating to the participation by non-enrolled students in University Interscholastic League-sponsored activities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 33.0832, Education Code, by amending Subsections (c) and (e) and adding Subsections (c-2) and (e-1), as follows:

(c) Requires, rather than authorizes, a public school that participates in an activity sponsored by the University Interscholastic League (league), except as provided by Subsections (c-2) and (i) (relating to providing that a non-enrolled student is not authorized by Section 33.0832 (Equal Opportunity for Certain Students to Participate in University Interscholastic League Activities) to participate in a league activity during the remainder of any school year during which the student was previously enrolled in a public school), to provide a non-enrolled student, who otherwise meets league eligibility standards to represent that school in a league activity, with the opportunity to participate in the activity on behalf of the school in the same manner that the school provides the opportunity to participate to students enrolled in the school. Makes a nonsubstantive change.

(c-2) Authorizes the board of trustees of a school district or the governing body of an open-enrollment charter school, not later than the date specified under league rule, to

adopt a policy declining to grant non-enrolled students the opportunity to participate in league activities.

(e) Creates an exception under Subsection (e-1).

(e-1) Authorizes a non-enrolled student, if the school that the student would be eligible to attend under Subsection (e) (relating to authorizing a non-enrolled student to only participate in a league activity for the school in the school district that the student would be eligible to attend based on the student's residential address) is subject to a policy adopted under Subsection (c-2), to participate in a league activity for the closest school, based on geographic proximity to the student's residential address, that is not subject to a policy adopted under Subsection (c-2).

SECTION 2. Provides that this Act applies beginning with the 2025–2026 school year.

SECTION 3. Effective date: upon passage or September 1, 2025.