

BILL ANALYSIS

S.B. 401
By: Paxton
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 2021, the 87th Legislature enacted a law that granted public schools the option to allow home-schooled students to participate in University Interscholastic League (UIL) activities. However, the bill sponsor has informed the committee that home-schooled students who live in a district that does not allow participation of non-enrolled students in a UIL activity but who otherwise live within a reasonable distance of a district that does permit such participation are currently prohibited from accessing these extracurricular activities. The bill sponsor has further informed the committee that many schools have not yet considered whether to allow UIL participation for non-enrolled students. S.B. 401 seeks to address this issue by requiring schools to allow certain non-enrolled students the opportunity to participate in UIL activities on behalf of the school unless a public school district's board of trustees or an open-enrollment charter school's governing body adopts a policy declining to grant non-enrolled students the opportunity to participate in UIL activities on behalf of the school and by authorizing non-enrolled students to participate in UIL activities at the school closest to their residential address that is not subject to such a policy.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 401 amends the Education Code to replace the authorization for a public school that participates in an activity sponsored by the University Interscholastic League (UIL) to provide a non-enrolled student, who otherwise meets UIL eligibility standards to represent that school in a UIL 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 with a requirement for such a school to do so except as provided by the bill or current law. The bill authorizes the board of trustees of a public school district or the governing body of an open-enrollment charter school to adopt a policy declining to grant non-enrolled students the opportunity to participate in UIL activities not later than the date specified under UIL rule. The bill authorizes a non-enrolled student, if the school that the student would be eligible to attend based on the student's residential address is subject to such an adopted policy, to participate in a UIL activity for the closest school, based on geographic proximity to the student's residential address, that is not subject to such a policy.

S.B. 401 applies beginning with the 2025-2026 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.