

By: Lopez of Cameron

H.B. No. 1123

A BILL TO BE ENTITLED

AN ACT

1
2 relating to interscholastic athletic competition based on
3 biological sex, requirements for physical examinations and genetic
4 testing in interscholastic athletics, and the adoption of rules by
5 the University Interscholastic League to implement these
6 requirements.

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

8 SECTION 1. Subchapter D, Chapter 33, Education Code,
9 Section 33.0834 is amended to read as follows:

10 Sec. 33.0834. INTERSCHOLASTIC ATHLETIC COMPETITION BASED
11 ON BIOLOGICAL SEX. (a) Except as provided by Subsection (c) [~~(b)~~],
12 an interscholastic athletic team sponsored or authorized by a
13 school district or open-enrollment charter school may not allow a
14 student to compete in an interscholastic athletic competition
15 sponsored or authorized by the district or school that is
16 designated for the biological sex opposite to the student's
17 biological sex as correctly stated on:

18 (1) the student's official birth certificate, as
19 described by Subsection (d) [~~(e)~~]; or

20 (2) if the student's official birth certificate
21 described by Subdivision (1) is unobtainable, another government
22 record.

23 (b) A student may not compete in an interscholastic athletic
24 competition designated for a particular biological sex if the

1 student's chromosomal sex does not match the biological sex
2 assigned at birth as described in subsection (a). This
3 determination shall be made based on clinical evidence, including
4 genetic testing results provided by a licensed medical professional
5 under Section 33.098.

6 (c) [~~(b)~~] An interscholastic athletic team described by
7 Subsection (a) may allow a female student to compete in an
8 interscholastic athletic competition that is designated for male
9 students if a corresponding interscholastic athletic competition
10 designated for female students is not offered or available.

11 (d) [~~(c)~~] For purposes of this section, a statement of a
12 student's biological sex on the student's official birth
13 certificate is considered to have correctly stated the student's
14 biological sex only if the statement was:

15 (1) entered at or near the time of the student's birth;

16 or

17 (2) modified to correct any type of scrivener or
18 clerical error in the student's biological sex.

19 (e) [~~(d)~~] The University Interscholastic League shall adopt
20 rules to implement this section, provided that the rules must be
21 approved by the commissioner in accordance with Section 33.083(b).
22 The rules must ensure compliance with state and federal law
23 regarding the confidentiality of student medical information,
24 including Chapter 181, Health and Safety Code, and the Health
25 Insurance Portability and Accountability Act of 1996 (42 U.S.C.
26 Section 1320d et seq.).

27 SECTION 2. Subchapter D, Chapter 33, Education Code, is

1 amended by adding Section 33.098 to read as follows:

2 Sec. 33.098. REQUIREMENTS FOR PHYSICAL EXAMINATIONS AND
3 GENETIC TESTING IN INTERSCHOLASTIC ATHLETICS. (a) A licensed
4 physician conducting a physical examination for a student seeking
5 to participate in an interscholastic athletic activity must not
6 approve the Physical Examination Form if the licensed physician,
7 based on their expertise, reasonably suspects that the student's
8 chromosomal makeup is inconsistent with the biological sex assigned
9 to the student at birth.

10 (b) If a licensed physician suspects a student has
11 chromosomal characteristics that are different from the biological
12 sex assigned at birth, the licensed physician must refer the
13 student for genetic testing to confirm the student's chromosomal
14 sex.

15 (c) The University Interscholastic League (UIL) shall adopt
16 rules as necessary to administer this chapter. These rules must
17 include procedures for ensuring that physical examinations are
18 conducted properly, including provisions for addressing cases
19 where a physician suspects a discrepancy between a student's
20 assigned sex at birth and their chromosomal sex.

21 (e) This chapter does not create a cause of action or
22 liability, nor does it establish a standard of care, obligation, or
23 duty that provides a basis for a cause of action or liability
24 against any licensed health care professional, the University
25 Interscholastic League, a school district, or any district officer
26 or employee for an injury or death of a student participating in or
27 practicing for an athletic activity sponsored or sanctioned by the

1 University Interscholastic League based on or in connection with
2 the administration or interpretation of this section.

3 SECTION 3. This Act applies beginning with the 2025-2026
4 school year.

5 SECTION 4. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect on the 60th day after the last day of the
10 legislative session.