

By: Rosenthal

H.B. No. 3596

A BILL TO BE ENTITLED

AN ACT

relating to prevention of and safety requirements regarding sudden cardiac arrest affecting public school students participating in interscholastic athletics.

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

SECTION 1. This Act may be cited as Cody's Law.

SECTION 2. Chapter 38, Education Code, is amended by adding Subchapter D-1 to read as follows:

SUBCHAPTER D-1. PREVENTION OF AND SAFETY REQUIREMENTS REGARDING
SUDDEN CARDIAC ARREST AFFECTING STUDENT ATHLETES

Sec. 38.181. DEFINITIONS. In this subchapter:

(1) "Athletic trainer" has the meaning assigned by
Section 451.001, Occupations Code.

(2) "Coach" includes an assistant coach.

(3) "League" means the University Interscholastic
League.

(4) "Parent" includes a guardian or other person with
legal authority to make medical decisions for a student.

(5) "Physician" means a person who holds a license to
practice medicine in this state.

Sec. 38.182. APPLICABILITY. This subchapter applies to an
interscholastic athletic activity, including practice and
competition, sponsored or sanctioned by:

(1) a school district and any school for which a

1 charter has been granted under Chapter 12; or

2 (2) the league.

3 Sec. 38.183. WEBSITE INFORMATION. (a) The agency shall
4 develop guidelines and other relevant materials, in accordance with
5 this section, to educate students, parents, teachers, nurses, and
6 coaches regarding sudden cardiac arrest, including:

7 (1) warning signs and symptoms, including:

8 (A) fainting or seizures during athletic
9 activity;

10 (B) difficulty breathing;

11 (C) chest pains;

12 (D) dizziness;

13 (E) abnormal racing heart rate; and

14 (F) extreme fatigue; and

15 (2) risks associated with continuing athletic
16 activity after experiencing a warning sign or symptom of sudden
17 cardiac arrest.

18 (b) In developing the guidelines and other materials under
19 Subsection (a), the agency may use educational videos and other
20 resources available at no cost.

21 (c) The agency shall post on the agency's Internet website
22 the guidelines and other materials developed under Subsection (a).

23 Sec. 38.184. REQUIRED ANNUAL FORM ACKNOWLEDGING SUDDEN
24 CARDIAC ARREST INFORMATION. (a) In addition to satisfying the
25 requirements under Section 38.186, a student may not participate in
26 an interscholastic athletic activity for a school year until both
27 the student and the student's parent have signed and submitted to

1 the school district or charter school in which the student is
2 enrolled a form for that school year that acknowledges receiving
3 and reading written information that:

4 (1) explains:

5 (A) sudden cardiac arrest warning signs and
6 symptoms; and

7 (B) electrocardiogram screening;

8 (2) provides notice of the requirement for the student
9 to receive an electrocardiogram in addition to a physical
10 examination; and

11 (3) is consistent with the information in the
12 materials developed and posted under Section 38.183.

13 (b) The form required under Subsection (a) must be approved
14 by the league.

15 (c) A school district or charter school shall retain a form
16 submitted under Subsection (a) for the school year for which the
17 student participates in an interscholastic athletic activity.

18 Sec. 38.185. INFORMATIONAL MEETING. Before the start of
19 each athletic season, a school district or charter school may hold
20 an informational meeting regarding the warning signs and symptoms
21 of sudden cardiac arrest for students, parents, coaches, and other
22 school employees. The district or school may invite a physician,
23 including a pediatric cardiologist, or athletic trainer to present
24 information at the meeting.

25 Sec. 38.186. REQUIRED ELECTROCARDIOGRAM. (a) Except as
26 provided by Subsection (b), a student may not participate in an
27 interscholastic athletic activity for a school year unless the

1 student receives an electrocardiogram from a health care
2 professional, including a health care professional provided
3 through the student's patient-centered medical home, as defined by
4 Section 540.0712, Government Code, a health care professional
5 provided through a school district or charter school program, or
6 another health care professional chosen by the parent, provided
7 that the health care professional is:

8 (1) appropriately licensed in this state; and
9 (2) authorized to administer and interpret
10 electrocardiograms under the health care professional's scope of
11 practice.

12 (b) A student is not required to comply with Subsection (a)
13 if:

14 (1) the student's parent submits a signed form
15 indicating that the parent authorizes the student to decline an
16 electrocardiogram; or

17 (2) the student signs and submits the form described
18 by Subdivision (1) on the student's own behalf if the student is 18
19 years of age or older or the student's disabilities of minority have
20 been removed for general purposes under Chapter 31, Family Code.

21 (c) A school district or charter school shall use a form
22 approved by the league for purposes of Subsection (b). The form
23 must:

24 (1) provide the student or the student's parent, as
25 applicable, the opportunity to decline an electrocardiogram, as
26 provided by Subsection (b); and

27 (2) be made available in English, Spanish, and any

other language spoken by a majority of the students enrolled in a bilingual education or special language program under Subchapter B, Chapter 29, in the district or school.

(d) A school district or charter school shall retain a form submitted under Subsection (b) for the school year for which the student participates in an interscholastic athletic activity.

Sec. 38.187. REMOVAL AND PREVENTION FROM PLAY IN PRACTICE OR COMPETITION FOLLOWING SUDDEN CARDIAC ARREST WARNING SIGN OR SYMPTOM. (a) A student shall be removed from an interscholastic athletic practice or competition immediately if any of the following persons determines that the student has lost consciousness during the practice or competition:

(1) a coach;

(2) a physician;

(3) a licensed health care professional;

(4) a school nurse; or

(5) the student's parent.

(b) A student may be removed from an interscholastic athletic practice or competition by a person listed in Subsection (a) if the person determines that the student has exhibited a warning sign or symptom of sudden cardiac arrest other than the loss of consciousness as described by Sections 38.183(a)(1)(B)-(F).

(c) Subject to Section 38.188, if a person listed in Subsection (a) knows that a student has lost consciousness at any time during or immediately following an interscholastic athletic practice or competition, the student shall be prevented from participating in any further practice or competition.

1 (d) Subject to Section 38.188, if a person listed in
2 Subsection (a) knows that a student has exhibited a warning sign or
3 symptom of sudden cardiac arrest other than the loss of
4 consciousness at any time during or immediately following an
5 interscholastic athletic practice or competition, the student may
6 be prevented from participating in any further practice or
7 competition.

8 Sec. 38.188. RETURN TO PLAY IN PRACTICE OR COMPETITION. A
9 student removed from or prevented from participating in an
10 interscholastic athletic practice or competition under Section
11 38.187 may not be permitted to practice or compete again until:

12 (1) the student has been evaluated by:

13 (A) a physician;

14 (B) a licensed health care professional; or

15 (C) a school nurse; and

16 (2) the evaluating health care provider has provided a
17 written statement indicating that, in the provider's professional
18 judgment, it is safe for the student to return to play.

19 Sec. 38.189. TRAINING COURSES. (a) The league shall
20 approve for coaches of interscholastic athletic activities
21 training courses that provide for training in the subject matter of
22 sudden cardiac arrest, including prevention, warning signs and
23 symptoms, risks, and long-term effects.

24 (b) A coach may not coach an interscholastic athletic
25 activity for a school year until the coach has completed a training
26 course approved under Subsection (a).

27 (c) A coach must submit proof of timely completion of an

approved course in compliance with Subsection (b) to the school district superintendent or the superintendent's designee or, in the case of a charter school, a person who serves the function of a superintendent or that person's designee.

Sec. 38.190. INFORMATIONAL SHEET. (a) The agency shall develop and make available to each school district and charter school an informational sheet comprised of information consistent with the information in the materials developed and posted under Section 38.183.

(b) A school district or charter school shall provide a copy of the informational sheet developed under Subsection (a) to each newly hired teacher, school nurse, and coach.

Sec. 38.191. IMMUNITY. This subchapter does not:

(1) waive any immunity from liability of a school district or charter school or of district or school officers or employees;

(2) create any liability for a cause of action against a school district or charter school or against district or charter school officers or employees; or

(3) waive any immunity from liability under Section [74.151](#), Civil Practice and Remedies Code.

Sec. 38.192. RULES. The commissioner and the league may adopt rules as necessary to administer this subchapter.

SECTION 3. Section [33.096](#), Education Code, is repealed.

SECTION 4. Subchapter [D-1](#), Chapter [38](#), Education Code, as added by this Act, applies beginning with the 2025-2026 school year.

1 SECTION 5. Notwithstanding Section 38.189, Education Code,
2 as added by this Act, a coach required under that section to take a
3 training course in the subject of sudden cardiac arrest must
4 initially complete the training course not later than September 1,
5 2026.

6 SECTION 6. This Act takes effect June 1, 2025, if it
7 receives a vote of two-thirds of all the members elected to each
8 house, as provided by Section 39, Article III, Texas Constitution.
9 If this Act does not receive the vote necessary for effect on that
10 date, this Act takes effect September 1, 2025.