

1-1 By: Paxton S.B. No. 401
1-2 (In the Senate - Filed November 21, 2024; February 3, 2025,
1-3 read first time and referred to Committee on Education K-16;
1-4 April 22, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 1; April 22, 2025,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	Creighton	X		
1-10	Campbell	X		
1-11	Bettencourt	X		
1-12	Hagenbuch	X		
1-13	Hinojosa of Nueces	X		
1-14	King	X		
1-15	Menéndez	X		
1-16	Middleton	X		
1-17	Parker	X		
1-18	Paxton	X		
1-19	West		X	

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 401 By: Middleton

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to participation by non-enrolled students in University
1-24 Interscholastic League-sponsored activities.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 33.0832, Education Code, is amended by
1-27 amending Subsections (c) and (e) and adding Subsections (c-2) and
1-28 (e-1) to read as follows:

1-29 (c) Except as provided by Subsections (c-2) and
1-30 ~~[Subsection]~~ (i), a public school that participates in an activity
1-31 sponsored by the league shall ~~[may]~~ provide a non-enrolled student,
1-32 who otherwise meets league eligibility standards to represent that
1-33 school in a league activity, with the opportunity to participate in
1-34 the activity on behalf of the school in the same manner that the
1-35 school provides the opportunity to participate to students enrolled
1-36 in the school.

1-37 (c-2) Not later than the date specified under league rule,
1-38 the board of trustees of a school district or the governing body of
1-39 an open-enrollment charter school may adopt a policy declining to
1-40 grant non-enrolled students the opportunity to participate in
1-41 league activities.

1-42 (e) Except as provided by Subsection (e-1), a ~~[A]~~
1-43 non-enrolled student may only participate in a league activity for
1-44 the school in the school district that the student would be eligible
1-45 to attend based on the student's residential address. A
1-46 non-enrolled student who seeks to participate in a league activity
1-47 on behalf of a school shall be required to establish minimum proof
1-48 of residency acceptable to the district in the same manner as an
1-49 applicant to attend a school in the district under Section 25.001.

1-50 (e-1) If the school that a non-enrolled student would be
1-51 eligible to attend under Subsection (e) is subject to a policy
1-52 adopted under Subsection (c-2), the student may participate in a
1-53 league activity for the closest school, based on geographic
1-54 proximity to the student's residential address, that is not subject
1-55 to a policy adopted under Subsection (c-2).

1-56 SECTION 2. This Act applies beginning with the 2025-2026
1-57 school year.

1-58 SECTION 3. This Act takes effect immediately if it receives
1-59 a vote of two-thirds of all the members elected to each house, as
1-60 provided by Section 39, Article III, Texas Constitution. If this

2-1 Act does not receive the vote necessary for immediate effect, this
2-2 Act takes effect September 1, 2025.

2-3 * * * * *