

BILL ANALYSIS

Senate Research Center
87R17498 GCB-D

H.B. 1080
By: Patterson et al. (Nelson)
Education
5/11/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1080 clarifies that students receiving mental health treatment may not be banned from participating in University Interscholastic League (UIL) activities based solely on their mental health condition. Specifically, H.B. 1080 prevents school districts and open-enrollment charter schools from adopting or enforcing policies that restrict a student from participating in UIL activities based on a student receiving mental health services.

H.B. 1080 amends current law relating to the eligibility for participation in University Interscholastic League activities of certain public school students who receive outpatient mental health services.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the University Interscholastic League in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.0832, as follows:

Sec. 33.0832. PARTICIPATION IN UNIVERSITY INTERSCHOLASTIC LEAGUE ACTIVITIES BY STUDENTS RECEIVING OUTPATIENT MENTAL HEALTH SERVICES. (a) Provides that this section applies to a student who:

(1) receives outpatient mental health services from a mental health facility, as defined by Section 571.003 (Definitions), Health and Safety Code; and

(2) is enrolled in a school district or open-enrollment charter school or otherwise receives public education services from a district or school.

(b) Requires the University Interscholastic League (UIL) to ensure that league rules do not exclude from eligibility for participation in a league activity a student to whom this section applies based solely on the criteria described in Subsection (a)(1).

(c) Prohibits a school district or open-enrollment charter school from adopting or enforcing policies that restrict participation in UIL activities by a student to whom this section applies based solely on:

(1) the criteria described in Subsection (a)(1); or

(2) the student's absence during instructional time while receiving outpatient mental health services as described by Subsection (a)(1).

(d) Provides that this section does not exempt a student to whom this section applies from any eligibility requirement for participation in UIL activities other

than an eligibility requirement based solely on the criteria described in Subsection (a)(1).

SECTION 2. Provides that as soon as practicable after the effective date of this Act:

(1) the UIL is required to propose or amend rules as necessary to comply with Section 33.0832, Education Code, as added by this Act; and

(2) a school district or open-enrollment charter school is required to propose or amend policies as necessary to comply with Section 33.0832, Education Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2021.