

BILL ANALYSIS

Senate Research Center
87R16227 KJE-F

C.S.S.B. 29
By: Perry et al.
State Affairs
3/30/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The proposed legislation amends Chapter 33 of the Education Code requiring University Interscholastic League (UIL) athletes to compete in sports associated with their biological sex as determined at or near birth and that was properly listed on the student's birth certificate.

However, the bill allows female athletes to compete in male sports if a corresponding female sport is not available and the interscholastic athletic team allows for it.

(Original Author's / Sponsor's Statement of Intent)

C.S.S.B. 29 amends current law relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

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

Sec. 33.0832. INTERSCHOLASTIC ATHLETIC COMPETITION BASED ON BIOLOGICAL SEX. (a) Prohibits an interscholastic athletic team sponsored or authorized by a school district or open-enrollment charter school, except as provided by Subsection (b), from allowing a student to compete in an interscholastic athletic competition sponsored or authorized by the district or school that is designated for the biological sex opposite to the student's biological sex as determined at the student's birth and correctly stated on the student's official birth certificate.

(b) Authorizes an interscholastic athletic team described by Subsection (a) to allow a female student to compete in an interscholastic athletic competition that is designated for male students if a corresponding interscholastic athletic competition designated for female students is not offered or available.

(c) Provides that, for purposes of this section, a statement of a student's biological sex on the student's official birth certificate is considered to have correctly stated the student's biological sex as determined at the student's birth if the statement was entered at or near the time of the student's birth, as determined by University Interscholastic League rule, or was modified to correct a clerical error in the student's biological sex.

SECTION 2. Provides that this Act applies beginning with the 2021-2022 school year.

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