

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 2484
By: Guillen et al. (LaMantia)
Education
5/8/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, there is no required protection of the safety of a referee, judge, or administrator at a public school athletic event. There is also a lack of regulation of conduct by a spectator related to those officials' safety. H.B. 2484 seeks to address these safety concerns by providing for a spectator's prohibited attendance of any future activity sponsored or sanctioned by a public school district or the University Interscholastic League if the spectator engages in specified injurious conduct against a person serving as an official of the applicable activity. The bill also requires the provision of a peace officer, school resource officer, administrator, or security personnel to ensure the safety of such an official under certain circumstances.

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

The committee substitute clarifies that the ban only pertains to athletic events sanctioned by a school district or UIL. It also clarifies that the school district has the power to enact the ban, and gives the district the discretion to remove or uphold the ban. Finally, it allows the school district to create its own appeal process.

C.S.H.B. 2484 amends current law relating to the safety of a referee, judge, or other official at certain public school extracurricular activities and competitions and prohibiting certain conduct by a spectator related to those officials' safety.

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 Section 33.081, Education Code, by adding Subsection (f-1) and (f-2) and amending Subsection (g), as follows:

(f-1) Authorizes a school district to prohibit a spectator of an extracurricular athletic activity or competition, including a parent or guardian of a student participant, from attending any future extracurricular activity sponsored or sanctioned by the school district or the University Interscholastic League (UIL) if the spectator engages in conduct that intentionally, knowingly, or recklessly causes bodily injury to a person serving as referee, judge, or other official of an extracurricular activity or competition in retaliation for or as a result of the person's actions taken in performing the duties of a referee, judge, or other official of the extracurricular activity or competition.

(f-2) Authorizes a school district to establish an appeals process by which a person is authorized to appeal to the district a prohibition imposed under Subsection (f-1).

(g) Provides that an appeal to the commissioner of education is not a contested case under Chapter 2001 (Administrative Procedure), Government Code, if the issues presented relate to a person's eligibility, rather than a student's eligibility, to participate in or attend an extracurricular activity, including issues related to a student's grades, the school district's grading policy as applied to a student's eligibility, a student's eligibility

based on conduct described by Subsection (e-1) (relating to requiring a student who is enrolled in a school district in this state or who participates in a UIL competition to be prohibited from participation in any future extracurricular activity if certain criteria are met), or a spectator's eligibility to attend an extracurricular activity under Subsection (f-1). Makes nonsubstantive changes.

SECTION 2. Amends Subchapter D, Chapter 33, Education Code, by adding Section 33.099, as follows:

Sec. 33.099. SAFETY OF OFFICIAL. Requires a school district or open-enrollment charter school that holds an extracurricular athletic activity or a UIL athletic competition on district or school property to provide a peace officer, school resource officer, administrator, or security personnel to ensure the safety of a referee, judge, or other official of the activity or competition until the official departs district or school property if:

- (1) a participant or spectator of the activity or competition engages in, attempts to engage in, or threatens violent conduct against the official or otherwise disrupts the duties or free movement of the official; or
- (2) the district or school reasonably suspects that an incident described by Subdivision (1) may occur at the activity or competition.

SECTION 3. Provides that this Act applies beginning with the 2023–2024 school year.

SECTION 4. Effective date: upon passage or September 1, 2023.