

1-1 By: Patterson, et al. (Senate Sponsor - Nelson) H.B. No. 1080  
 1-2 (In the Senate - Received from the House May 5, 2021;  
 1-3 May 6, 2021, read first time and referred to Committee on  
 1-4 Education; May 14, 2021, reported favorably by the following vote:  
 1-5 Yeas 10, Nays 0; May 14, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Hall	X			
1-11 Hughes			X	
1-12 Menéndez	X			
1-13 Paxton	X			
1-14 Perry	X			
1-15 Powell	X			
1-16 Schwertner	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the eligibility for participation in University  
 1-22 Interscholastic League activities of certain public school  
 1-23 students who receive outpatient mental health services.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter D, Chapter 33, Education Code, is  
 1-26 amended by adding Section 33.0832 to read as follows:

1-27 Sec. 33.0832. PARTICIPATION IN UNIVERSITY INTERSCHOLASTIC  
 1-28 LEAGUE ACTIVITIES BY STUDENTS RECEIVING OUTPATIENT MENTAL HEALTH  
 1-29 SERVICES. (a) This section applies to a student who:

1-30 (1) receives outpatient mental health services from a  
 1-31 mental health facility, as defined by Section 571.003, Health and  
 1-32 Safety Code; and

1-33 (2) is enrolled in a school district or  
 1-34 open-enrollment charter school or otherwise receives public  
 1-35 education services from a district or school.

1-36 (b) The University Interscholastic League shall ensure that  
 1-37 league rules do not exclude from eligibility for participation in a  
 1-38 league activity a student to whom this section applies based solely  
 1-39 on the criteria described in Subsection (a)(1).

1-40 (c) A school district or open-enrollment charter school may  
 1-41 not adopt or enforce policies that restrict participation in  
 1-42 University Interscholastic League activities by a student to whom  
 1-43 this section applies based solely on:

1-44 (1) the criteria described in Subsection (a)(1); or

1-45 (2) the student's absence during instructional time  
 1-46 while receiving outpatient mental health services as described by  
 1-47 Subsection (a)(1).

1-48 (d) This section does not exempt a student to whom this  
 1-49 section applies from any eligibility requirement for participation  
 1-50 in University Interscholastic League activities other than an  
 1-51 eligibility requirement based solely on the criteria described in  
 1-52 Subsection (a)(1).

1-53 SECTION 2. As soon as practicable after the effective date  
 1-54 of this Act:

1-55 (1) the University Interscholastic League shall  
 1-56 propose or amend rules as necessary to comply with Section 33.0832,  
 1-57 Education Code, as added by this Act; and

1-58 (2) a school district or open-enrollment charter  
 1-59 school shall propose or amend policies as necessary to comply with  
 1-60 Section 33.0832, Education Code, as added by this Act.

1-61 SECTION 3. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as  
2-2 provided by Section 39, Article III, Texas Constitution. If this  
2-3 Act does not receive the vote necessary for immediate effect, this  
2-4 Act takes effect September 1, 2021.

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