

1-1 By: Lucio III, Guillen (Senate Sponsor - Lucio) H.B. No. 2721
 1-2 (In the Senate - Received from the House May 10, 2021;
 1-3 May 10, 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 prohibiting a student from participating in future
 1-22 extracurricular activities for certain conduct involving the
 1-23 assault of an extracurricular activity official.

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

1-25 SECTION 1. Section 33.081, Education Code, is amended by
 1-26 adding Subsection (e-1) and amending Subsections (f) and (g) to
 1-27 read as follows:

1-28 (e-1) A student who is enrolled in a school district in this
 1-29 state or who participates in a University Interscholastic League
 1-30 competition shall be prohibited from participation in any future
 1-31 extracurricular activity sponsored or sanctioned by the school
 1-32 district or the University Interscholastic League if the student
 1-33 engages in conduct that contains the elements of the offense of
 1-34 assault under Section 22.01(a)(1), Penal Code:

1-35 (1) against a person serving as referee, judge, or
 1-36 other official of an extracurricular activity; and

1-37 (2) in retaliation for or as a result of the person's
 1-38 actions taken in performing the duties of a referee, judge, or other
 1-39 official of the extracurricular activity.

1-40 (f) Except for a student prohibited from participation
 1-41 under Subsection (e-1), a [A] student suspended under this section
 1-42 may practice or rehearse with other students for an extracurricular
 1-43 activity but may not participate in a competition or other public
 1-44 performance.

1-45 (g) An appeal to the commissioner is not a contested case
 1-46 under Chapter 2001, Government Code, if the issues presented relate
 1-47 to a student's eligibility to participate in extracurricular
 1-48 activities, including issues related to the student's grades, [or]
 1-49 the school district's grading policy as applied to the student's
 1-50 eligibility, or the student's eligibility based on conduct
 1-51 described by Subsection (e-1). The commissioner may delegate the
 1-52 matter for decision to a person the commissioner designates. The
 1-53 decision of the commissioner or the commissioner's designee in a
 1-54 matter governed by this subsection may not be appealed except on the
 1-55 grounds that the decision is arbitrary or capricious. Evidence may
 1-56 not be introduced on appeal other than the record of the evidence
 1-57 before the commissioner.

1-58 SECTION 2. This Act applies beginning with the 2021-2022
 1-59 school year.

1-60 SECTION 3. This Act takes effect immediately if it receives
 1-61 a vote of two-thirds of all the members elected to each house, as

2-1 provided by Section 39, Article III, Texas Constitution. If this
2-2 Act does not receive the vote necessary for immediate effect, this
2-3 Act takes effect September 1, 2021.

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