

AN ACT

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.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 33.081, Education Code, is amended by adding Subsections (f-1), (f-2), and (f-3) and amending Subsection (g) to read as follows:

(f-1) A school district shall prohibit a spectator of an extracurricular athletic activity or competition, including a parent or guardian of a student participant, from attending any future extracurricular athletic activity or competition sponsored or sanctioned by the school district or the University Interscholastic League 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 athletic 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 athletic activity or competition.

(f-2) A school district may establish an appeals process by which:

(1) a person may appeal to the district a prohibition imposed under Subsection (f-1); and

(2) the district may determine the facts associated with the conduct for which the school district imposed a prohibition under Subsection (f-1).

(f-3) A prohibition imposed under Subsection (f-1) must be for not less than one year after the date on which the prohibition is imposed but may not exceed five years from the date on which the prohibition is imposed.

(g) An appeal to the commissioner is not a contested case under Chapter 2001, Government Code, if the issues presented relate to a person's [~~student's~~] eligibility to participate in or attend an extracurricular activity [~~activities~~], including issues related to a a [~~the~~] student's grades, the school district's grading policy as applied to a [~~the~~] student's eligibility, a [~~or the~~] student's eligibility based on conduct described by Subsection (e-1), or a spectator's eligibility to attend an extracurricular athletic activity or competition under Subsection (f-1). The commissioner may delegate the matter for decision to a person the commissioner designates. The decision of the commissioner or the commissioner's designee in a matter governed by this subsection may not be appealed except on the grounds that the decision is arbitrary or capricious. Evidence may not be introduced on appeal other than the record of the evidence before the commissioner.

SECTION 2. Subchapter D, Chapter 33, Education Code, is amended by adding Section 33.099 to read as follows:

Sec. 33.099. SAFETY OF OFFICIAL. A school district or open-enrollment charter school that holds an extracurricular athletic activity or a University Interscholastic League athletic competition on district or school property shall provide a peace officer, a school resource officer, an 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. This Act applies beginning with the 2023-2024 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2484 was passed by the House on April 14, 2023,

by the following vote: Yeas 139, Nays 4, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2484 on May 17, 2023, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2484 on May 25, 2023, by the following vote: Yeas 133, Nays 10, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2484 was passed by the Senate, with amendments, on May 15, 2023, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2484 on May 25, 2023, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor