

## **BILL ANALYSIS**

Senate Research Center

S.B. 29  
By: Perry et al.  
State Affairs  
3/23/2021  
As Filed

### **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.

As proposed, S.B. 29 amends current law relating to requiring public school students to participate in interscholastic athletic activities 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 PARTICIPATION 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 participate in an interscholastic athletic activity 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 participate in an interscholastic athletic activity that is designated for male students if a corresponding interscholastic athletic activity 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.