

- SUBJECT:** Permitting students to use sunscreen products in public schools
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 9 ayes — Aycock, Allen, Bohac, Deshotel, Farney, Galindo, Huberty, K. King, VanDeaver
- 0 nays
- 2 absent — Dutton, González
- SENATE VOTE:** On final passage, April 22 — 28-2 (Creighton, V. Taylor)
- WITNESSES:** (*On House companion bill, HB 1498*)
For — James Allred, Texas Dermatological Society; (*Registered, but did not testify*: Ellen Arnold, Texas PTA; Clayton Travis, Texas Pediatric Society; Matt Long; Sandy Ward)
- Against — None
- On — Jeffrey Gershenwald, UT MD Anderson Cancer Center; (*Registered, but did not testify*: Monica Martinez, Texas Education Agency)
- BACKGROUND:** Education Code, ch. 38 establishes health and safety regulations at public schools.
- Some observers have noted that school districts sometimes adopt policies on medication in schools that include banning unauthorized possession of over-the-counter medication. Sunscreen is regulated as an over-the-counter drug product, which may lead to some students having restricted access to sunscreen because of school policies.
- DIGEST:** CSSB 265 would allow a student to possess and use a topical sunscreen product while on school property or at a school-related event to avoid sun overexposure and not for the medical treatment of an injury or illness. The

product would be required to be approved for over-the-counter use by the U.S. Food and Drug Administration.

The bill would not waive any immunity from liability of a school district, its board of trustees, or its employees, nor create any liability for or a cause of action against a school district, its board of trustees, or its employees.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2015, and the bill's provisions would apply at the beginning of the 2015-16 school year.