

Regular Session, 2013

HOUSE BILL NO. 267

BY REPRESENTATIVE HENSGENS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS/HIGH SCHOOL: Prohibits public high school participation in interscholastic athletics regulated by any association that discriminates among schools based on school admissions criteria in classifying schools into divisions for competition

1 AN ACT

2 To enact R.S. 17:176(J) and to repeal R.S. 17:176(F) and (G) and 236.3, relative to
3 interscholastic athletics; to prohibit public high schools from participating in
4 interscholastic athletic activities under certain circumstances; to remove certain
5 unconstitutional provisions relative to student eligibility and definitions with respect
6 to participation in interscholastic athletics; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:176(J) is hereby enacted to read as follows:

9 §176. Extracurricular activities; interscholastic athletics; participation; standards;
10 prohibitions; filming or videotaping; ~~definitions~~

11 * * *

12 J. No public high school shall participate in any interscholastic athletic
13 activity directed or regulated by any organization or association that discriminates
14 among schools on the basis of school admissions criteria in classifying schools into
15 divisions for competition in any sport during the regular season or playoffs.

16 Section 2. R.S. 17:176(F) and (G) and 236.3 are hereby repealed in their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hensgens

HB No. 267

Abstract: Prohibits public high schools from participating in interscholastic athletic activities directed or regulated by any organization or association that discriminates among schools based on school admissions criteria in classifying schools into divisions for competition in any sport during the regular season or playoffs.

Present law provides generally with respect to participation in interscholastic athletics, including academic and other eligibility standards. Proposed law prohibits public high schools from participating in interscholastic athletic activities directed or regulated by an organization or association that discriminates among schools based on school admissions criteria in classifying schools into divisions for competition in any sport during the regular season or playoffs.

Present law provides relative to:

- (1) Eligibility of certain students to participate in interscholastic athletic activities with respect to attendance at certain nonpublic schools located outside certain attendance zones and with respect to home study students. (R.S. 17:176(F) and 236.3)
- (2) Definitions of certain words as used in the rules, regulations, or bylaws of the La. High School Athletic Association. (R.S. 17:176(G))

Present case law (*Louisiana High School Athletics Association, Inc. v. State of Louisiana*, 2012-1471 (La. 1/29/13)) holds these provisions to violate present constitution (Const. Art. III, §12(A)(7)), which prohibits granting a private person or entity a special or exclusive right, privilege, or immunity. Proposed law repeals present law.

(Adds R.S. 17:176(J); Repeals R.S. 17:176(F) and (G) and 236.3)