

HOUSE BILL 1043

F1

6lr3344

By: **Delegate Smith**

Introduced and read first time: February 9, 2026

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Homeschool Students in Maryland – Right to Play**

3 FOR the purpose of authorizing a public high school to allow certain homeschool students
4 to participate in athletic activities sponsored by the school under certain
5 circumstances; authorizing certain homeschool students to participate in an athletic
6 activity sponsored by certain public high schools, subject to certain requirements;
7 requiring that certain liability insurance cover certain homeschool students under
8 certain circumstances; and generally relating to homeschool students and athletic
9 activities sponsored by public high schools.

10 BY adding to
11 Article – Education
12 Section 7–118
13 Annotated Code of Maryland
14 (2025 Replacement Volume and 2025 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Education**

18 **7–118.**

19 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
20 **INDICATED.**

21 **(2) “ATHLETIC ACTIVITY” INCLUDES INTERSCHOLASTIC ATHLETICS:**

22 **(I) IN WHICH A STUDENT MAY PARTICIPATE OUTSIDE OF**
23 **REGULAR SCHOOL HOURS; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(II) FOR WHICH A STUDENT DOES NOT EARN ACADEMIC CREDIT.

(3) (I) "HOMESCHOOL STUDENT" MEANS A STUDENT WHO PARTICIPATES IN A HOME INSTRUCTION PROGRAM THAT MEETS THE REQUIREMENTS OF COMAR 13A.10.01.01.

(II) "HOMESCHOOL STUDENT" DOES NOT INCLUDE A STUDENT WHO PARTICIPATES IN A HOME INSTRUCTION PROGRAM THAT IS UNDERGOING A DEFICIENCY CORRECTION IN ACCORDANCE WITH COMAR 13A.10.01.03.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND SUBSECTION (C) OF THIS SECTION, A PUBLIC HIGH SCHOOL MAY ALLOW A HOMESCHOOL STUDENT WHO IS NOT ENROLLED IN THE SCHOOL TO PARTICIPATE IN AN ATHLETIC ACTIVITY SPONSORED BY THE SCHOOL TO THE SAME EXTENT THAT A STUDENT WHO IS ENROLLED IN THE SCHOOL MAY PARTICIPATE IN THE ATHLETIC ACTIVITY.

(2) A PUBLIC HIGH SCHOOL SHALL GIVE PLACEMENT PRIORITY TO A STUDENT ENROLLED IN THE PUBLIC HIGH SCHOOL SPONSORING THE ATHLETIC ACTIVITY OVER A STUDENT WHO IS NOT ENROLLED IN THE PUBLIC HIGH SCHOOL IF THERE ARE A LIMITED NUMBER OF SPACES AVAILABLE FOR STUDENTS IN THE ATHLETIC ACTIVITY.

(C) (1) A HOMESCHOOL STUDENT MAY PARTICIPATE IN AN ATHLETIC ACTIVITY SPONSORED:

(I) BY THE PUBLIC HIGH SCHOOL THE HOMESCHOOL STUDENT WOULD BE ASSIGNED TO ATTEND IF THE HOMESCHOOL STUDENT ATTENDED PUBLIC SCHOOL; OR

(II) FOR A HOMESCHOOL STUDENT WHO LIVES IN AN AREA THAT DOES NOT ASSIGN STUDENTS TO A SPECIFIC SCHOOL, BY A PUBLIC HIGH SCHOOL THAT IS GEOGRAPHICALLY PROXIMATE WITH THE HOMESCHOOL STUDENT'S RESIDENCE AS DETERMINED BY THE RELEVANT COUNTY BOARD.

(2) IF THE PUBLIC HIGH SCHOOL AT WHICH A HOMESCHOOL STUDENT MAY PARTICIPATE IN AN ATHLETIC ACTIVITY DOES NOT OFFER THE ATHLETIC ACTIVITY IN WHICH THE HOMESCHOOL STUDENT WOULD LIKE TO PARTICIPATE, THE HOMESCHOOL STUDENT MAY USE THE SAME METHODS THAT A STUDENT ENROLLED IN THE PUBLIC HIGH SCHOOL USES TO PARTICIPATE IN ANOTHER PUBLIC HIGH SCHOOL'S ATHLETIC ACTIVITIES.

(3) A STUDENT ENROLLED IN A PUBLIC HIGH SCHOOL WHO WITHDRAWS FROM THE PUBLIC HIGH SCHOOL TO BEGIN A HOME INSTRUCTION PROGRAM IS NOT ELIGIBLE TO PARTICIPATE IN AN ATHLETIC ACTIVITY SPONSORED BY ANY PUBLIC HIGH SCHOOL IF THE STUDENT, WHILE ENROLLED IN THE PUBLIC HIGH SCHOOL, WAS SUBJECT TO DISCIPLINARY ACTION THAT WOULD BAR PARTICIPATION IN THE ATHLETIC ACTIVITY.

(D) A HOMESCHOOL STUDENT WHO PARTICIPATES IN AN ATHLETIC ACTIVITY SPONSORED BY A PUBLIC HIGH SCHOOL IS:

(1) SUBJECT TO:

(I) THE SAME INSURANCE, HEALTH, AND IMMUNIZATION REQUIREMENTS AND EXEMPTIONS AS A STUDENT ENROLLED IN THE PUBLIC HIGH SCHOOL; AND

(II) EXCEPT FOR ACADEMIC RULES, THE SAME CODES OF CONDUCT AND SAFETY RULES AS A STUDENT ENROLLED IN THE PUBLIC HIGH SCHOOL; AND

(2) RESPONSIBLE FOR TRANSPORTATION TO AND FROM THE PUBLIC HIGH SCHOOL.

(E) (1) IF A PUBLIC HIGH SCHOOL HAS LIABILITY INSURANCE FOR ATHLETIC ACTIVITIES, THE LIABILITY INSURANCE SHALL COVER HOMESCHOOL STUDENTS PARTICIPATING IN AN ATHLETIC ACTIVITY SPONSORED BY THE PUBLIC HIGH SCHOOL TO THE SAME EXTENT AS THE COVERAGE FOR STUDENTS ENROLLED IN THE PUBLIC HIGH SCHOOL.

(2) A PUBLIC HIGH SCHOOL MAY REQUIRE A HOMESCHOOL STUDENT PARTICIPATING IN AN ATHLETIC ACTIVITY SPONSORED BY THE PUBLIC HIGH SCHOOL TO TAKE THE FOLLOWING ACTIONS IF THE PUBLIC HIGH SCHOOL REQUIRES STUDENTS ENROLLED IN THE PUBLIC HIGH SCHOOL TO TAKE THE SAME ACTIONS:

(I) PAY INSURANCE PREMIUMS;

(II) SIGN WAIVERS; OR

(III) SHOW PROOF OF LIABILITY INSURANCE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.