

By: Tepper

H.B. No. 344

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a prohibition on instruction and certain activities
3 regarding sexual orientation or gender identity provided or allowed
4 by a public school.

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

6 SECTION 1. Subchapter A, Chapter 28, Education Code, is
7 amended by adding Section 28.0041 to read as follows:

8 Sec. 28.0041. PROHIBITION ON INSTRUCTION AND CERTAIN
9 ACTIVITIES REGARDING SEXUAL ORIENTATION OR GENDER IDENTITY. (a)
10 Except as provided by Subsection (b), a school district,
11 open-enrollment charter school, or district or charter school
12 employee may not provide or allow a third party to provide
13 instruction, guidance, activities, or programming regarding sexual
14 orientation or gender identity to students enrolled in
15 prekindergarten through 12th grade.

16 (b) This section may not be construed to limit:

17 (1) a student's ability to engage in speech or
18 expressive conduct protected by the First Amendment to the United
19 States Constitution or by Section 8, Article I, Texas Constitution,
20 that does not result in material disruption to school activities;
21 or

22 (2) the ability of a person who is authorized by the
23 district or school to provide physical or mental health-related
24 services to provide the services to a student, subject to any

1 required parental consent.

2 SECTION 2. This Act applies beginning with the 2025-2026
3 school year.

4 SECTION 3. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2025.