

By: Toth

H.B. No. 1015

A BILL TO BE ENTITLED

1 AN ACT
2 relating to regulations and policies for entering or using a
3 bathroom or changing facility in a public school.

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

5 SECTION 1. Chapter 38, Education Code, is amended by adding
6 Subchapter I to read as follows:

7 SUBCHAPTER I. SINGLE-SEX MULTIPLE-OCCUPANCY BATHROOMS AND
8 CHANGING FACILITIES

9 Sec. 38.451. DEFINITIONS. In this subchapter:

10 (1) "Multiple-occupancy bathroom or changing
11 facility" means a facility designed or designated for use by more
12 than one person at a time, where a person may be in a state of
13 undress in the presence of another person, regardless of whether
14 the facility provides curtains or partial walls for privacy. The
15 term includes a restroom, locker room, changing room, or shower
16 room.

17 (2) "Single-occupancy bathroom or changing facility"
18 means a facility designed or designated for use by only one person
19 at a time, where a person may be in a state of undress, including a
20 single toilet restroom with a locking door that is designed or
21 designated as unisex or for use based on biological sex.

22 Sec. 38.452. DETERMINATION OF BIOLOGICAL SEX. (a) For
23 purposes of this subchapter, a person's biological sex is the
24 biological sex correctly stated on the person's official birth

1 certificate as described by Subsection (b).

2 (b) A statement of a person's biological sex on the person's
3 official birth certificate is considered to have correctly stated
4 the person's biological sex only if the statement was:

5 (1) entered at or near the time of the person's birth;
6 or

7 (2) modified to correct a scrivener or clerical error
8 in the person's biological sex.

9 Sec. 38.453. SINGLE-SEX MULTIPLE-OCCUPANCY BATHROOM OR
10 CHANGING FACILITY. A school district or open-enrollment charter
11 school shall require that each multiple-occupancy bathroom or
12 changing facility accessible to students and located in a school or
13 school facility be designated for and used only by persons based on
14 the person's biological sex.

15 Sec. 38.454. ACCOMMODATIONS AUTHORIZED. (a) This
16 subchapter does not prohibit a school district or open-enrollment
17 charter school from providing an accommodation, including a
18 single-occupancy bathroom or changing facility or the controlled
19 use of a faculty bathroom or changing facility, on request due to
20 special circumstances.

21 (b) A school district or open-enrollment charter school may
22 not provide an accommodation that allows a person to use a
23 multiple-occupancy bathroom or changing facility accessible to
24 students that is designated for the biological sex opposite to the
25 person's biological sex.

26 Sec. 38.455. PRIVATE LEASES AND CONTRACTS. (a) A private
27 entity that leases or contracts to use a building owned or leased by

1 a school district or open-enrollment charter school is not subject
2 to Section 38.453.

3 (b) A school district or open-enrollment charter school may
4 not require a private entity described by Subsection (a) to adopt,
5 or prohibit the private entity from adopting, a policy on the
6 designation or use of bathrooms or changing facilities located in
7 the building.

8 Sec. 38.456. EXCEPTIONS. A designation of a multiple-
9 occupancy bathroom or changing facility under Section 38.453 does
10 not apply to a person entering a multiple-occupancy bathroom or
11 changing facility designated for the biological sex opposite to the
12 person's biological sex:

13 (1) for a custodial purpose;
14 (2) for a maintenance or inspection purpose;
15 (3) to render medical or other emergency assistance;
16 (4) to accompany a student needing assistance in using
17 the facility, if the assisting person is:

18 (A) an employee or authorized volunteer of the
19 school district or open-enrollment charter school; or

20 (B) the student's parent, guardian, conservator,
21 or authorized caregiver;

22 (5) to accompany a person other than a student needing
23 assistance in using the facility; or

24 (6) to receive assistance in using the facility.

25 Sec. 38.457. CONSIDERATION OF CERTAIN POLICIES PROHIBITED.

26 In awarding a contract for the purchase of goods or services, a
27 school district or open-enrollment charter school may not consider

1 whether a private entity competing for the contract has adopted a
2 policy relating to the designation or use of the entity's bathrooms
3 or changing facilities.

4 SECTION 2. This Act takes effect September 1, 2025.