

AN ACT

relating to the procedure for determining whether a student's violation of a public school's or public institution of higher education's student code of conduct was motivated by antisemitism.

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

SECTION 1. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0095 to read as follows:

Sec. 37.0095. ANTISEMITISM: DISCIPLINARY ACTION. In taking disciplinary action against a student for behavior that violates the student code of conduct adopted under Section 37.001 and that may reasonably be determined to have been motivated by antisemitism, a school district or open-enrollment charter school shall use the definition of antisemitism provided by Section 448.001, Government Code, including the examples referenced in that term, in determining whether the student's behavior was motivated by antisemitism.

SECTION 2. Subchapter 2, Chapter 51, Education Code, is amended by adding Section 51.9791 to read as follows:

Sec. 51.9791. ANTISEMITISM: DISCIPLINARY ACTION. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) In taking disciplinary action against a student for behavior that violates the institution's student code of conduct and that may reasonably be determined to have been motivated by

1 antisemitism, an institution of higher education shall use the  
2 definition of antisemitism provided by Section 448.001, Government  
3 Code, including the examples referenced in that term, in  
4 determining whether the student's behavior was motivated by  
5 antisemitism.

6         SECTION 3. It is the intent of the legislature that this  
7 legislation not be used to punish speech protected by the First  
8 Amendment to the United States Constitution or Section 8, Article  
9 I, Texas Constitution, that is engaged in by a student enrolled at a  
10 school district, open-enrollment charter school, or public  
11 institution of higher education unless the speech is accompanied by  
12 actions that violate the district's, school's, or institution's  
13 student code of conduct.

14         SECTION 4. (a) Section 37.0095, Education Code, as added by  
15 this Act, applies beginning with the 2025-2026 school year.

16         (b) Section 51.9791, Education Code, as added by this Act,  
17 applies beginning with the 2025-2026 academic year.

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

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 326 passed the Senate on April 14, 2025, by the following vote: Yeas 29, Nays 2; and that the Senate concurred in House amendment on May 7, 2025, by the following vote: Yeas 29, Nays 2.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 326 passed the House, with amendment, on April 30, 2025, by the following vote: Yeas 129, Nays 8, four present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor