

By: Hughes

S.B. No. 689

A BILL TO BE ENTITLED

AN ACT

relating to the implementation of diversity, equity, and inclusion initiatives by certain governmental entities.

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

SECTION 1. Subtitle A, Title 6, Government Code, is amended by adding Chapter 621 to read as follows:

CHAPTER 621. PROHIBITION ON CERTAIN DIVERSITY, EQUITY, AND INCLUSION INITIATIVES

Sec. 621.001. DEFINITIONS. In this chapter:

(1) "Diversity, equity, and inclusion office" means an office, division, or other unit of a governmental entity established for the purpose of:

(A) influencing hiring or employment practices or workforce composition at the entity with respect to race, sex, color, or ethnicity, other than through the use of color-blind, race-neutral, and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;

(B) promoting differential treatment or providing special benefits to individuals on the basis of race, sex, color, or ethnicity;

(C) promoting policies or procedures designed or implemented in reference to race, sex, color, or ethnicity, other than policies or procedures:

(i) approved in writing by the attorney

1 general; and

2 (ii) implemented for the sole purpose of
3 ensuring compliance with any applicable federal law;

4 (D) conducting trainings, programs, or
5 activities designed or implemented in reference to race, sex,
6 color, ethnicity, gender identity, or sexual orientation, other
7 than trainings, programs, or activities:

8 (i) developed by an attorney;

9 (ii) approved in writing by the attorney

10 general; and

11 (iii) conducted for the sole purpose of
12 ensuring compliance with any applicable court order or state or
13 federal law; or

14 (E) promoting, as an official position of the
15 entity, a particular opinion referencing unconscious or implicit
16 bias, cultural appropriation, allyship, transgender ideology,
17 microaggressions, group marginalization, anti-racism, systemic
18 oppression, social justice, intersectionality, neo-pronouns,
19 heteronormativity, disparate impact, gender theory, racial or
20 sexual privilege, or any related formulation of the these concepts.

21 (2) "Governmental entity" means:

22 (A) a department, commission, board, office, or
23 other agency that is in the executive branch of state government and
24 that was created by the constitution or a statute, other than an
25 institution of higher education as defined by Section 61.003,
26 Education Code;

27 (B) the legislature or a legislative state

1 agency;

2 (C) the supreme court, the court of criminal
3 appeals, a court of appeals, a district court, or the Texas Judicial
4 Council or another agency in the judicial branch of state
5 government;

6 (D) a county, municipality, special purpose
7 district, including a school district, or any other political
8 subdivision of this state; or

9 (E) an open-enrollment charter school
10 established under Subchapter D, Chapter 12, Education Code.

11 Sec. 621.002. RESPONSIBILITY OF GOVERNMENTAL ENTITY
12 REGARDING DIVERSITY, EQUITY, AND INCLUSION INITIATIVES. A
13 governmental entity shall ensure that each unit of the entity does
14 not, except as required by federal law:

15 (1) establish or maintain a diversity, equity, and
16 inclusion office; or

17 (2) hire or assign an employee of the entity or
18 contract with a third party to perform the duties of a diversity,
19 equity, and inclusion office.

20 Sec. 621.003. COMPLAINT; ENFORCEMENT. (a) A person who has
21 a reasonable belief that a governmental entity is violating this
22 chapter may file a complaint with the attorney general.

23 (b) If the attorney general determines that a governmental
24 entity named in a complaint received under Subsection (a) is
25 violating this chapter, the attorney general may file a petition
26 for a writ of mandamus to compel the governmental entity to comply
27 with this chapter.

1 (c) A mandamus action under Subsection (b) must be filed in:

2 (1) Travis County, if the governmental entity is an
3 entity described by Section 621.001(2)(A)-(C); or

4 (2) the county in which the governmental entity is
5 located, if the governmental entity is an entity described by
6 Section 621.001(2)(D) or (E).

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2025.