

By: Simmons

H.B. No. 46

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of discrimination by political subdivisions.

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

SECTION 1. The heading to Chapter 250, Local Government Code, is amended to read as follows:

CHAPTER 250. MISCELLANEOUS REGULATORY AUTHORITY OF MUNICIPALITIES, ~~[AND]~~ COUNTIES, AND OTHER LOCAL GOVERNMENTS

SECTION 2. Chapter 250, Local Government Code, is amended by adding Section 250.009 to read as follows:

Sec. 250.009. CERTAIN REGULATION OF DISCRIMINATION PROHIBITED. (a) Except in accordance with federal law as enacted by Congress and interpreted in controlling federal case law and state law as enacted by the legislature and interpreted in controlling case law of this state, a political subdivision, including a public school district, may not adopt or enforce an order, ordinance, policy, or other measure to protect a class of persons from discrimination to the extent that the order, ordinance, policy, or other measure regulates access to multiple-occupancy restrooms, showers, or changing facilities.

(b) Subsection (a) may be enforced only through an action instituted by the attorney general for mandamus or injunctive relief. The attorney general may recover costs and attorney's fees related to enforcing Subsection (a).

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect on the 91st day after the last day of the
6 legislative session.