

1-1 By: Kolkhorst S.B. No. 3  
 1-2 (In the Senate - Filed July 19, 2017; July 20, 2017, read  
 1-3 first time and referred to Committee on State Affairs;  
 1-4 July 23, 2017, reported favorably by the following vote: Yeas 8,  
 1-5 Nays 1; July 23, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16		X		

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the regulation of certain facilities and activities of  
 1-20 political subdivisions, including public school districts, and  
 1-21 open-enrollment charter schools.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. The heading to Chapter 250, Local Government  
 1-24 Code, is amended to read as follows:

1-25 CHAPTER 250. MISCELLANEOUS REGULATORY AUTHORITY OF  
 1-26 MUNICIPALITIES, ~~[AND]~~ COUNTIES, AND OTHER LOCAL GOVERNMENTS

1-27 SECTION 2. Chapter 250, Local Government Code, is amended  
 1-28 by adding Section 250.009 to read as follows:

1-29 Sec. 250.009. REGULATION OF CERTAIN FACILITIES AND  
 1-30 ACTIVITIES. (a) Each multiple-occupancy restroom, shower, and  
 1-31 changing facility of a political subdivision, including a public  
 1-32 school district, or an open-enrollment charter school must be  
 1-33 designated for and used only by persons of the same sex as stated on  
 1-34 a person's birth certificate.

1-35 (b) Except in accordance with federal law as enacted by  
 1-36 Congress and interpreted in controlling federal case law and state  
 1-37 law as enacted by the legislature and interpreted in controlling  
 1-38 case law of this state, a political subdivision, including a public  
 1-39 school district, or an open-enrollment charter school may not adopt  
 1-40 or enforce an order, ordinance, policy, or other measure to protect  
 1-41 a class of persons from discrimination to the extent that the order,  
 1-42 ordinance, policy, or other measure regulates:

1-43 (1) access to multiple-occupancy restrooms, showers,  
 1-44 or changing facilities; or

1-45 (2) participation in athletic activities.

1-46 (c) This section may be enforced only through an action  
 1-47 instituted by the attorney general for mandamus or injunctive  
 1-48 relief. The attorney general may recover costs and attorney's fees  
 1-49 related to enforcing this section.

1-50 SECTION 3. This Act takes effect immediately if it receives  
 1-51 a vote of two-thirds of all the members elected to each house, as  
 1-52 provided by Section 39, Article III, Texas Constitution. If this  
 1-53 Act does not receive the vote necessary for immediate effect, this  
 1-54 Act takes effect on the 91st day after the last day of the  
 1-55 legislative session.

1-56 \* \* \* \* \*