

BILL ANALYSIS

C.S.H.B. 3257
By: King, Phil
Culture, Recreation & Tourism
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In recent years, instances of antisemitic activity in the United States have been on the increase and, according to the U.S. Department of Justice, American Jews are at a greater risk of being subjected to hate crimes than are other faith groups in this country. With the First Amendment to the U.S. Constitution guaranteeing the freedom of religion, it is important that the state do all that it can to help identify and root out antisemitism and ensure that all Texans are able to exercise this religious freedom without fear. C.S.H.B. 3257 seeks to establish the Texas Commission on Antisemitism to identify and combat antisemitism in Texas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Antisemitism in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 3257 amends the Government Code to create the nine-member Texas Commission on Antisemitism as an administrative attachment to the Texas Historical Commission. For purposes of the antisemitism commission's duties, the bill defines "antisemitism" as a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. The bill establishes as examples of antisemitism those that are included with the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016.

C.S.H.B. 3257 sets out provisions relating to the composition of the antisemitism commission and provides for its administration and operation. Members are appointed by the governor and serve staggered six-year terms, and the bill provides for the initial appointment and staggering of terms. The bill clarifies that the antisemitism commission functions only in an advisory capacity and that membership thereon does not constitute a public office. The bill excepts the antisemitism commission from provisions governing state agency advisory committees.

C.S.H.B. 3257 requires the antisemitism commission to do the following:

- conduct a study on antisemitism in Texas and submit a biennial report on the results of the study to the governor, the lieutenant governor, the speaker of the house of representatives, and each member of the legislature;
- provide advice and assistance to public and private primary and secondary schools and institutions of higher education in Texas regarding methods of combating antisemitism;

- meet with appropriate representatives of public and private organizations to provide information on and to assist in planning, coordinating, or modifying antisemitism awareness programs;
- solicit volunteers to participate in commemorative events designed to enhance public awareness of the fight against antisemitism; and
- adopt rules as necessary for its own procedures.

C.S.H.B. 3257 authorizes the antisemitism commission to accept gifts, grants, and donations from a public or private source for use in performing its duties and to participate in the establishment and operation of an affiliated nonprofit organization whose purpose is to raise funds for or provide services or other benefits to the antisemitism commission. The bill subjects the antisemitism commission to the Texas Sunset Act and sets it to be abolished September 1, 2033, unless continued in existence as provided under that act.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3257 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision specifying that examples of antisemitism are included with the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016.