

BILL ANALYSIS

Senate Research Center
88R2538 KKR-D

H.B. 567
By: Bowers et al. (Miles)
State Affairs
5/5/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 567 amends current law relating to discrimination on the basis of hair texture or protective hairstyle associated with race.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 25, Education Code, by adding Section 25.902, as follows:

Sec. 25.902. PROHIBITION ON CERTAIN DISCRIMINATION IN STUDENT DRESS OR GROOMING POLICY. (a) Defines "protective hairstyle."

(b) Prohibits any student dress or grooming policy adopted by a school district, including a student dress or grooming policy for any extracurricular activity, from discriminating against a hair texture or protective hairstyle commonly or historically associated with race.

SECTION 2. Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.979, as follows:

Sec. 51.979. PROHIBITION ON CERTAIN DISCRIMINATION IN STUDENT DRESS OR GROOMING POLICY. (a) Defines "institution of higher education" and "protective hairstyle."

(b) Prohibits any student dress or grooming policy adopted by an institution of higher education, including a student dress or grooming policy for any extracurricular activity, from discriminating against a hair texture or protective hairstyle commonly or historically associated with race.

SECTION 3. Amends Subchapter C, Chapter 21, Labor Code, by adding Section 21.1095, as follows:

Sec. 21.1095. RACIAL DISCRIMINATION BASED ON HAIR TEXTURE OR PROTECTIVE HAIRSTYLE. (a) Defines "protective hairstyle."

(b) Provides that a provision in Chapter 21 (Employment Discrimination) referring to discrimination because of race or on the basis of race includes discrimination because of or on the basis of an employee's hair texture or protective hairstyle commonly or historically associated with race.

(c) Provides that an employer, labor union, or employment agency commits an unlawful employment practice if the employer, labor union, or employment

agency adopts or enforces a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race.

SECTION 4. Amends Subchapter A, Chapter 301, Property Code, by adding Section 301.0045, as follows:

Sec. 301.0045. RACIAL DISCRIMINATION BASED ON HAIR TEXTURE OR PROTECTIVE HAIRSTYLE. (a) Defines "protective hairstyle."

(b) Provides that a provision in Chapter 301 (Texas Fair Housing Act), other than a provision in Subchapter I (Criminal Penalty), referring to discrimination because of race or on the basis of race includes discrimination because of or on the basis of a person's hair texture or protective hairstyle commonly or historically associated with race.

SECTION 5. Makes application of Section 21.1095, Labor Code, as added by this Act, prospective.

SECTION 6. Makes application of Section 301.0045, Property Code, as added by this Act, prospective.

SECTION 7. Effective date: September 1, 2023.