**BILL ANALYSIS**

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| Senate Research Center | H.B. 229 |
|  | By: Troxclair et al. (Middleton) |
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|  | Engrossed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

In recent years, confusion and inconsistency surrounding definitions of "sex," "male," "female," "man," and "woman" have created legal and policy challenges across Texas. These uncertainties have affected the enforcement of antidiscrimination laws, public health reporting, criminal justice statistics, and the integrity of single-sex spaces. Without clear statutory definitions, governmental entities and courts risk adopting subjective or contradictory interpretations that undermine both science and the law. Currently, Texas law does not provide standard definitions for basic sex-based terminology. Nor does it require that government agencies collecting demographic or vital statistics identify individuals based on biological sex. This absence has made it difficult to ensure uniform application of sex-based policies across state and local entities.

H.B. 229 addresses this issue by codifying clear, biologically grounded definitions for "male," "female," and related terms in the Government Code. The bill also requires that all governmental entities collecting sex-based data identify individuals strictly as male or female for purposes such as public health, criminal statistics, and compliance with state and federal law. By defining foundational terms and standardizing public data collection, H.B. 229 restores clarity and consistency to Texas law and ensures that public policy continues to reflect objective biological reality.

H.B. 229 amends current law relating to general definitions for and collection of governmental information regarding biological sex.

**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. FINDINGS. Provides that the legislature finds that:

(1) males and females possess unique immutable biological differences that manifest prior to birth and increase as individuals age and experience puberty;

(2) biological differences between the sexes mean that only females are able to get pregnant, give birth, and breastfeed children;

(3) biological differences between the sexes mean that males are, on average, bigger, stronger, and faster than females;

(4) biological differences between the sexes leave females more physically vulnerable than males to specific forms of violence, including sexual violence;

(5) females have historically suffered discrimination in education, athletics, and employment;

(6) biological differences between the sexes are enduring and may, in some circumstances, warrant the creation of separate social, educational, athletic, or other spaces in order to ensure individuals' safety and allow members of each sex to succeed and thrive;

(7) inconsistencies in court rulings and policy initiatives with regard to the definitions of "sex," "male," "female," "man," and "woman" have led to endangerment of single-sex spaces and resources, necessitating clarification of certain terms;

(8) in the context of biological sex, "equal" does not mean "same" or "identical" and separate is not inherently unequal;

(9) there are legitimate reasons to distinguish between the sexes with respect to athletics, prisons and other correctional facilities, domestic violence shelters, rape crisis centers, locker rooms, restrooms, and other areas where biology, safety, or privacy are implicated;

(10) policies and laws that distinguish between the sexes are subject to intermediate constitutional scrutiny, which forbids unfair discrimination against similarly situated males and females but allows the law to distinguish between the sexes where such distinctions are substantially related to important governmental objectives; and

(11) each individual is one of two sexes, male or female, and individuals diagnosed with a disorder of sex development or as intersex are not considered to belong to a third sex and are required to receive accommodations in accordance with state and federal law.

SECTION 2. Amends Section 311.005, Government Code, by adding Subdivisions (14), (15), (16), (17), (18), (19), and (20), to define "boy," "father," "female," "woman," "girl," "male," "man," "mother," and "sex."

SECTION 3. Amends Chapter 2051, Government Code, by adding Subchapter G, as follows:

SUBCHAPTER G. VITAL STATISTICS INFORMATION COLLECTION

Sec. 2051.251. DEFINITION. Defines "governmental entity."

Sec. 2051.252. VITAL STATISTICS INFORMATION COLLECTION BY GOVERNMENTAL ENTITY. Requires a governmental entity that collects vital statistics information that identifies the sex of an individual for the purpose of complying with antidiscrimination laws or for the purpose of gathering public health, crime, economic, or other data to identify each individual as either male or female.

SECTION 4. Effective date: September 1, 2025.