**BILL ANALYSIS**

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| Senate Research Center | S.B. 326 |
| 89R1592 CXP-D | By: King |
|  | Education K-16 |
|  | 3/21/2025 |
|  | As Filed |

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

In response to an increase in antisemitic incidents across our nation and in our state, the legislature passed H.B. 3257 during the 87th Regular Session to adopt the international Holocaust remembrance alliance's definition of antisemitism, which is widely used by the international community. The purpose of H.B. 3257 was to define antisemitism, so that we may better identify and combat acts of antisemitism in our communities.

Since the Hamas terrorist attack of October 2023, incidents of antisemitism have increased in our schools and on campuses of higher education across our state. Now, legislation is needed to ensure that all Texas schools have the proper tools to combat antisemitism.

S.B. 326 would require schools to consider the definition of antisemitism—already adopted by the legislature in H.B. 3257 and codified in the Section 448.001, Texas Government Code—when determining whether a student's code of conduct violation was motivated by antisemitism. This definition defines "antisemitism" as a certain perception of Jews that may be expressed as hatred toward Jews. This 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. Additionally, this definition includes examples of antisemitic acts which will help identify antisemitism in our schools.

As proposed, S.B. 326 amends current law relating to the procedure for determining whether a student's violation of a public school's or public institution of higher education's student code of conduct was motivated by antisemitism.

**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 A, Chapter 37, Education Code, by adding Section 37.0095, as follows:

Sec. 37.0095. ANTISEMITISM: DISCIPLINARY ACTION. Requires a school district or open-enrollment charter school, in taking disciplinary action against a student for behavior that violates the student code of conduct adopted under Section 37.001 (Student Code of Conduct) and that may reasonably be determined to have been motivated by antisemitism, to consider the definition of antisemitism provided by Section 448.001 (Definitions), Government Code, including the examples referenced in that term, as instructive in determining whether the student's behavior was motivated by antisemitism.

SECTION 2. Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.9791, as follows:

Sec. 51.9791. ANTISEMITISM: DISCIPLINARY ACTION. (a) Defines "institution of higher education."

(b) Requires an institution of higher education, in taking disciplinary action against a student for behavior that violates the student code of conduct and that may reasonably be determined to have been motivated by antisemitism, to consider the definition of antisemitism provided by Section 448.001, Government Code, including the examples referenced in that term, as instructive in determining whether the student's behavior was motivated by antisemitism.

SECTION 3. (a) Provides that Section 37.0095, Education Code, as added by this Act, applies beginning with the 2025–2026 school year.

(b) Provides that Section 51.9791, Education Code, as added by this Act, applies beginning with the 2025–2026 academic year.

SECTION 4. Effective date: upon passage or September 1, 2025.