

BILL ANALYSIS

C.S.H.B. 1106
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Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that, in parts of the country, there have been instances where a child's parents have been accused of abuse for refusing to refer to their child with their preferred name, pronouns, and sexual orientation. The bill author has also informed the committee that in other states, legislation has been proposed that considers the refusal of a person responsible for a child's care, custody, or welfare to affirm a child's preferred gender, pronouns, or sexual orientation as a type of coercive control. C.S.H.B. 1106 seeks to address this by specifying that a parent who does not affirm their child's preferred name, pronouns, and sexual orientation is not committing abuse or neglect.

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

ANALYSIS

C.S.H.B. 1106 amends the Family Code to revise the definitions of "abuse" and "neglect," for purposes of statutory provisions governing investigations of reports of child abuse or neglect, by specifying that the terms do not include the refusal by a person responsible for a child's care, custody, or welfare to affirm the following:

- a child's perception of the child's gender, including a refusal to use a child's preferred name or pronouns, regardless of whether the child's name has been legally changed; or
- a child's expressed sexual orientation.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1106 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced specified that the definition of "abuse" and "neglect," for purposes of statutory provisions governing investigations of reports of child abuse or neglect, does not include the refusal of a child's parent, legal guardian, or other person responsible for a child's

care, custody, or welfare to affirm the child's expressed sexual orientation or gender identity or address the child according to the child's preferred name or pronoun(s), regardless of whether the child has legally changed their name, the substitute specifies that those terms do not include the refusal by a person responsible for a child's care, custody, or welfare to affirm the following:

- a child's perception of the child's gender, including a refusal to use a child's preferred name or pronouns, regardless of whether the child's name has been legally changed; or
- a child's expressed sexual orientation.