

BILL ANALYSIS

H.B. 2391
By: Capriglione
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that incidents of antisemitic harassment, discrimination, and violence have been on the rise across the country in recent years, creating a hostile environment for Jewish students and undermining the principles of equality and safety in education. Although current law prohibits discrimination in many settings, there is no procedure for determining whether a violation of a school's or university's student code of conduct was motivated by antisemitism. The bill author has further informed the committee that without clear guidelines, these incidents may be misclassified, inconsistently addressed, or ignored, leaving Jewish students vulnerable to targeted harassment and bias-motivated misconduct. H.B. 2391 seeks to address this issue and ensure appropriate disciplinary action and accountability for these incidents by establishing a procedure for determining whether a student's violation of a public school's or institution of higher education's code of conduct was motivated by antisemitism.

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

H.B. 2391 amends the Education Code to require a public school district, open-enrollment charter school, and a public institution of higher education, in taking disciplinary action against a student for behavior that violates the applicable entity's student code of conduct and that may reasonably be determined to have been motivated by antisemitism, to consider the definition of antisemitism provided by Government Code provisions establishing the Texas Holocaust, Genocide, and Antisemitism Advisory Commission, including the examples referenced in that term, as instructive in determining whether the student's behavior was motivated by antisemitism.

H.B. 2391 applies beginning with the 2025-2026 school year with respect to a school district and charter school and beginning with the 2025-2026 academic year with respect to an institution of higher education.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.