

BILL ANALYSIS

Senate Research Center
89R20603 RDS-F

C.S.S.B. 689
By: Hughes
State Affairs
3/20/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

All Texans deserve equal treatment and opportunity under the law. However, identity politics and divisive programs are still rampant within many Texas state government institutions. Diversity, equity, and inclusion (DEI) initiatives in Texas jeopardize equality and waste taxpayer dollars.

S.B. 689 would prohibit governmental entities from establishing a DEI office. The bill would also prohibit the entity from hiring, assigning an employee, or contracting with a third party to operate a DEI office.

Any person who has reasonable belief that an entity is in violation may file a complaint with the Office of the Attorney General. If the attorney general finds that the entity is in violation, they may issue a writ of mandamus to ensure compliance.

(Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 689 amends current law relating to employment practices regarding diversity and prohibiting the implementation of diversity, equity, and inclusion initiatives by certain governmental entities.

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 Subtitle A, Title 6, Government Code, by adding Chapter 621, as follows:

**CHAPTER 621. PROHIBITION ON CERTAIN DIVERSITY, EQUITY, AND
INCLUSION INITIATIVES**

Sec. 621.001. DEFINITIONS. Defines "diversity, equity, and inclusion office" and "governmental entity."

Sec. 621.002. RESPONSIBILITY OF GOVERNMENTAL ENTITY REGARDING DIVERSITY, EQUITY, AND INCLUSION INITIATIVES. Requires a governmental entity to ensure that each unit of the entity does not, except as required by federal law, establish or maintain a diversity, equity, and inclusion office or hire or assign an employee of the entity or contract with a third party to perform the duties of a diversity, equity, and inclusion office.

Sec. 621.003. COMPLAINT; ENFORCEMENT. (a) Authorizes a person who has a reasonable belief that a governmental entity is violating this chapter to file a complaint with the attorney general.

(b) Authorizes the attorney general, if the attorney general determines that a governmental entity named in a complaint received under Subsection (a) is

violating this chapter, to file a petition for a writ of mandamus to compel the governmental entity to comply with this chapter.

(c) Requires that a mandamus action under Subsection (b) be filed in:

(1) Travis County, if the governmental entity is an entity described by Section 621.001(2)(A)-(C) (relating to certain entities in the executive, legislative, or judicial branches of the state government); or

(2) the county in which the governmental entity is located, if the governmental entity is an entity described by Section 621.001(2)(D) (relating to certain county and local government entities other than school districts).

SECTION 2. Amends Section 21.125(a), Labor Code, as follows:

(a) Deletes existing text providing that combining objective job-related factors with race, color, sex, national origin, religion, age, or disability to attain diversity in the employer's work force is an exception to the provision that an unlawful employment practice is established when a complainant demonstrates that race, color, sex, national origin, religion, age, or disability was a motivating factor for an employment practice.

SECTION 3. Amends Section 21.452, Labor Code, as follows:

Sec. 21.452. DEVELOPMENT AND IMPLEMENTATION OF PERSONNEL POLICIES AND PROCEDURES. Deletes existing text requiring each state agency to develop and implement personnel selection procedures that incorporate a workforce diversity program.

SECTION 4. Repealer: Section 21.121 (Work Force Diversity Programs), Labor Code.

Repealer: Subchapter J (Hiring Practices), Chapter 21 (Employment Discrimination), Labor Code.

SECTION 5. Effective date: upon passage or September 1, 2025.