

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1999
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State Affairs
4/3/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 1999 aims to protect public employees and certain students from facing disciplinary action, retaliation, or discrimination when they use language consistent with a person's biological sex. This bill modifies existing laws in the Education Code and Government Code to provide these protections.

Key points of S.B. 1999:

1. Public school employees, including teachers, cannot be punished for addressing students or colleagues using terms that align with their biological sex.
2. Employees and students at higher education institutions receive similar protections.
3. Public employees are also protected when addressing other employees or the general public in this manner.

This bill addresses several concerns:

1. Moral or religious objections: Some individuals may have personal beliefs that prevent them from using language inconsistent with a person's biological sex.
2. Ethical concerns: Some may believe that using such language could worsen a person's gender dysphoria.
3. Practical issues: With varying claims about the number of genders, ranging from 20 to 107, it can be challenging for public employees to keep up with evolving terminology while performing their duties.

By providing these protections, S.B. 1999 allows public employees to focus on their jobs without worrying about potential consequences related to their communication choices based on biological sex. This bill amends current laws to ensure that public employees and students can use terms consistent with biological sex without fear of repercussions.

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

C.S.S.B. 1999 amends current law relating to protection for a public employee's or student's use of terms consistent with 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. Amends Subchapter Z, Chapter 22, Education Code, by adding Section 22.905, as follows:

Sec. 22.905. PROTECTION FOR USE OF TERMS CONSISTENT WITH BIOLOGICAL SEX. (a) Prohibits a school district or open-enrollment charter school from disciplining, retaliating against, or otherwise discriminating against a student or

district or school employee in terms consistent with the biological sex of the student or employee.

(b) Prohibits this section from being construed to limit a school district or open-enrollment charter school from adopting policies and procedures to prohibit and prevent bullying under Section 37.0832 (Bullying Prevention Policies and Procedures) and from being construed to authorize a person to engage in conduct that constitutes harassment in violation of Section 42.07 (Harassment), Penal Code.

SECTION 2. Amends Subchapter Z, Chapter 51, Education Code, by adding Section 51.991, as follows:

Sec. 51.991. PROTECTION FOR USE OF TERMS CONSISTENT WITH BIOLOGICAL SEX. (a) Defines "institution of higher education."

(b) Prohibits an institution of higher education from disciplining, retaliating against, or otherwise discriminating against a student or an employee of the institution who addresses a student or employee in terms consistent with the biological sex of the student or employee.

(c) Prohibits this section from being construed to authorize a student or an employee of the institution to engage in conduct that constitutes harassment in violation of Section 42.07, Penal Code.

SECTION 3. Amends Subtitle A, Title 6, Government Code, by adding Chapter 621, as follows:

CHAPTER 621. PROTECTION FOR USE OF TERMS CONSISTENT WITH BIOLOGICAL SEX

Sec. 621.001. DEFINITION. Defines "public employer."

Sec. 621.002. PROTECTION FOR USE OF TERMS CONSISTENT WITH BIOLOGICAL SEX. (a) Prohibits a public employer from disciplining, retaliating against, or otherwise discriminating against an employee of the public employer who addresses another employee or person in terms consistent with the biological sex of the employee or person.

(b) Prohibits this section from being construed to authorize an employee of a public employer to engage in conduct that constitutes harassment in violation of Section 42.07, Penal Code.

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