By:  King S.B. No. 326

(In the Senate - Filed November 13, 2024; February 3, 2025, read first time and referred to Committee on Education K-16; April 7, 2025, reported adversely, with favorable Committee Substitute by the following vote: Yeas 11, Nays 0; April 7, 2025, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Creighton         X

Campbell             X

Bettencourt          X

Hagenbuch            X

Hinojosa of Nueces   X

King                 X

Menéndez             X

Middleton            X

Parker               X

Paxton               X

West                 X

COMMITTEE SUBSTITUTE FOR S.B. No. 326 By:  Bettencourt

A BILL TO BE ENTITLED

AN ACT

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.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0095 to read as follows:

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

SECTION 2.  Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9791 to read as follows:

Sec. 51.9791.  ANTISEMITISM: DISCIPLINARY ACTION. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

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

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

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

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

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