By:  Hinojosa of Nueces S.B. No. 2233

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on certain persons endorsing or espousing terrorist activity at public institutions of higher education.

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

SECTION 1.  Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.989 to read as follows:

Sec. 51.989.  PROHIBITION ON CERTAIN PERSONS SUPPORTING TERRORIST ACTIVITY. (a) In this section:

(1)  "Institution of higher education" has the meaning assigned by Section 61.003.

(2)  "Terrorist activity" and "terrorist organization" have the meanings assigned by 8 U.S.C. Section 1182.

(b)  An institution of higher education shall adopt a policy prohibiting a student enrolled at or employee of the institution who holds a nonimmigrant visa from:

(1)  publicly endorsing or espousing terrorist activity related to an ongoing conflict; or

(2)  persuading others to endorse or espouse terrorist activity related to an ongoing conflict or to endorse a terrorist organization.

(c)  If an institution of higher education receives a report that a student enrolled at or employee of the institution who holds a nonimmigrant visa has violated the policy adopted under Subsection (b), the institution shall conduct an investigation in consultation with an appropriate law enforcement agency to determine whether a violation occurred.

(d)  If an institution of higher education determines by a preponderance of the evidence that a student enrolled at or employee of the institution who holds a nonimmigrant visa violated the policy adopted under Subsection (b), the institution shall take the following actions in accordance with the institution's applicable student and employee disciplinary procedures:

(1)  for the first violation, suspend the student or the employee's employment for a period of at least one year;

(2)  for the second violation, expel the student or terminate the employee's employment; and

(3)  promptly report the suspension, expulsion, or termination to the United States Department of Homeland Security through the Student and Exchange Visitor Information System (SEVIS).

(e)  An institution of higher education may not knowingly admit to or hire at the institution a person:

(1)  who has been suspended under Subsection (d)(1) during the period of the suspension; or

(2)  who has been expelled or whose employment was terminated under Subsection (d)(2).

(f)  The attorney general may bring an action against an institution of higher education to compel the institution to comply with this section. If the court determines that the institution has failed to comply with this section, the court may impose on the institution a fine in an amount not to exceed one percent of the institution's annual budget per instance of failure to comply.

(g)  This section may not be construed to infringe on a free speech right protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution.

SECTION 2.  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.