

By: Troxclair

H.B. No. 229

A BILL TO BE ENTITLED

1 AN ACT
2 relating to general definitions for and collection of governmental
3 information regarding biological sex.

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

5 SECTION 1. FINDINGS. The legislature finds that:

6 (1) males and females possess unique immutable
7 biological differences that manifest prior to birth and increase as
8 individuals age and experience puberty;

9 (2) biological differences between the sexes mean that
10 only females are able to get pregnant, give birth, and breastfeed
11 children;

12 (3) biological differences between the sexes mean that
13 males are, on average, bigger, stronger, and faster than females;

14 (4) biological differences between the sexes leave
15 females more physically vulnerable than males to specific forms of
16 violence, including sexual violence;

17 (5) females have historically suffered discrimination
18 in education, athletics, and employment;

19 (6) biological differences between the sexes are
20 enduring and may, in some circumstances, warrant the creation of
21 separate social, educational, athletic, or other spaces in order to
22 ensure individuals' safety and allow members of each sex to succeed
23 and thrive;

24 (7) inconsistencies in court rulings and policy

1 initiatives with regard to the definitions of "sex," "male,"
2 "female," "man," and "woman" have led to endangerment of single-sex
3 spaces and resources, necessitating clarification of certain
4 terms;

5 (8) in the context of biological sex:

6 (A) "equal" does not mean "same" or "identical";
7 and

8 (B) separate is not inherently unequal;

9 (9) there are legitimate reasons to distinguish
10 between the sexes with respect to athletics, prisons and other
11 correctional facilities, domestic violence shelters, rape crisis
12 centers, locker rooms, restrooms, and other areas where biology,
13 safety, or privacy are implicated; and

14 (10) policies and laws that distinguish between the
15 sexes are subject to intermediate constitutional scrutiny, which
16 forbids unfair discrimination against similarly situated males and
17 females but allows the law to distinguish between the sexes where
18 such distinctions are substantially related to important
19 governmental objectives.

20 SECTION 2. Section [311.005](#), Government Code, is amended by
21 adding Subdivisions (14), (15), (16), (17), (18), (19), and (20) to
22 read as follows:

23 (14) "Boy" means a child of the male sex.

24 (15) "Father" means a parent of the male sex.

25 (16) "Female" and "woman" mean an individual whose
26 biological reproductive system is developed to produce ova.

27 (17) "Girl" means a child of the female sex.

1 (18) "Male" and "man" mean an individual whose
2 biological reproductive system is developed to fertilize the ova of
3 a female.

4 (19) "Mother" means a parent of the female sex.

5 (20) "Sex" means an individual's biological sex,
6 either male or female.

7 SECTION 3. Chapter 2051, Government Code, is amended by
8 adding Subchapter G to read as follows:

9 SUBCHAPTER G. VITAL STATISTICS INFORMATION COLLECTION

10 Sec. 2051.251. DEFINITION. In this subchapter,
11 "governmental entity" has the meaning assigned by Section 2051.041.

12 Sec. 2051.252. VITAL STATISTICS INFORMATION COLLECTION BY
13 GOVERNMENTAL ENTITY. A governmental entity that collects vital
14 statistics information that identifies the sex of an individual for
15 the purpose of complying with antidiscrimination laws or for the
16 purpose of gathering public health, crime, economic, or other data
17 shall identify each individual as either male or female.

18 SECTION 4. This Act takes effect September 1, 2025.