

By: Capriglione, McQueeney, Metcalf

H.B. No. 2391

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 consider the definition of antisemitism provided by Section 448.001, Government Code, including the examples referenced in that term, as instructive in determining whether the student's behavior was motivated by antisemitism.

SECTION 2. Subchapter 2, 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

1 antisemitism, an institution of higher education shall consider the
2 definition of antisemitism provided by Section 448.001, Government
3 Code, including the examples referenced in that term, as
4 instructive in determining whether the student's behavior was
5 motivated by antisemitism.

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

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

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