

By: Bell of Montgomery

H.B. No. 4496

A BILL TO BE ENTITLED

AN ACT

relating to municipal diversity, equity, and inclusion initiatives.

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

SECTION 1. Subtitle A, Title 5, Local Government Code, is amended by adding Chapter 148 to read as follows:

CHAPTER 148. PROHIBITION ON MUNICIPAL DIVERSITY, EQUITY, AND INCLUSION INITIATIVES

Sec. 148.001. DEFINITIONS. In this chapter:

(1) "Diversity, equity, and inclusion initiative" means an initiative that:

(A) is based on the belief that identity classifications are central to understanding social, professional, and political disparities;

(B) requires, encourages, or otherwise promotes organizational practices such as employee hiring and promotion, resource allocation, or policy formulation to achieve proportional representation of identity classification groups or to eliminate perceived systemic differences between them; or

(C) otherwise promotes discriminatory treatment of a person on the basis of the person's identity classification.

(2) "Identity classification" means a classification of a person based on the race, color, religion, national origin, sex, age, disability status, medical history, pregnancy status,

1 sexual orientation, genetic information, gender identity, or
2 ethnicity of the person.

3 Sec. 148.002. PROHIBITION ON MUNICIPAL SPENDING OF PUBLIC
4 MONEY ON DIVERSITY, EQUITY, AND INCLUSION INITIATIVES. Except as
5 required by federal law, a municipality may not spend public money
6 or provide compensation in any manner to directly or indirectly:

7 (1) fund a department, program, office, or committee,
8 or pay compensation to a person associated with a department,
9 program, office, or committee, that is focused on formulating,
10 promoting, or implementing a diversity, equity, and inclusion
11 initiative; or

12 (2) hire or contract with an independent vendor or
13 contractor to formulate, promote, or implement a diversity, equity,
14 and inclusion initiative.

15 Sec. 148.003. DIVERSITY, EQUITY, AND INCLUSION INITIATIVES
16 AFFECTING MUNICIPAL OFFICERS AND EMPLOYEES. Except as required by
17 federal law, the governing body of a municipality may not:

18 (1) adopt or enforce an ordinance, regulation, or
19 other measure that:

20 (A) implements or advocates for a diversity,
21 equity, and inclusion initiative; or

22 (B) seeks to discriminate on the basis of
23 identity classification; or

24 (2) discriminate on the basis of identity
25 classification in adopting or implementing organizational
26 practices.

27 Sec. 148.004. ENFORCEMENT. A person may bring an action to

1 enjoin a violation under this chapter in a district court if the
2 person has been discriminated against on the basis of one or more of
3 the person's identity classifications in a manner that violates
4 this chapter.

5 SECTION 2. This Act takes effect September 1, 2025.