By: Gerdes H.B. No. 4814

A BILL TO BE ENTITLED

1 AN ACT

- 2 relating to the display of and allowance for non-human behaviors in
- 3 Texas schools.
- 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
- 5 SECTION 1. This bill may be referred to as the Forbidding
- 6 Unlawful Representation of Roleplaying in Education or
- 7 F.U.R.R.I.E.S Act.
- 8 SECTION 2. Section 31.007, Education Code, is amended by
- 9 amending Subsections (a) and (b) to read as follows:
- 10 (a) The board of trustees of an independent school district
- 11 shall, with the advice of its district-level committee established
- 12 under Subchapter F, Chapter 11, adopt a student code of conduct for
- 13 the district. The student code of conduct must be posted and
- 14 prominently displayed at each school campus or made available for
- 15 review at the office of the campus principal. In addition to
- 16 establishing standards for student conduct, the student code of
- 17 conduct must:
- 18 (1) specify the circumstances, in accordance with this
- 19 subchapter, under which a student may be removed from a classroom,
- 20 campus, disciplinary alternative education program, or vehicle
- 21 owned or operated by the district;
- 22 (2) specify conditions that authorize or require a
- 23 principal or other appropriate administrator to transfer a student
- 24 to a disciplinary alternative education program;

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outline conditions under which a student may be
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   suspended as provided by Section 37.005 or expelled as provided by
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   Section 37.007;
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                   specify that consideration will be given, as a
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   factor in each decision concerning suspension, removal to a
   disciplinary alternative education program,
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                                                    expulsion, or
   placement in a juvenile justice alternative education program,
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   regardless of whether the decision concerns a mandatory or
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   discretionary action, to:
                    (A) self-defense;
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                        intent or lack of intent at the time the
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   student engaged in the conduct;
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                        a student's disciplinary history;
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                         a disability that substantially impairs the
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   student's capacity to appreciate the wrongfulness of the student's
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- 17 (E) a student's status in the conservatorship of
- 18 the Department of Family and Protective Services; or
- (F) a student's status as a student who is
- 20 homeless;

conduct;

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- 21 (5) provide guidelines for setting the length of a
- 22 term of:
- 23 (A) a removal under Section 37.006; and
- 24 (B) an expulsion under Section 37.007;
- 25 (6) address the notification of a student's parent or
- 26 guardian of a violation of the student code of conduct committed by
- 27 the student that results in suspension, removal to a disciplinary

- 1 alternative education program, or expulsion;
- 2 (7) prohibit bullying, harassment, and making hit
- 3 lists and ensure that district employees enforce those
- 4 prohibitions;
- 5 (8) provide, as appropriate for students at each grade
- 6 level, methods, including options, for:
- 7 (A) managing students in the classroom, on school
- 8 grounds, and on a vehicle owned or operated by the district;
- 9 (B) disciplining students; and
- 10 (C) preventing and intervening in student
- 11 discipline problems, including bullying, harassment, and making
- 12 hit lists; [and]
- 13 (9) include an explanation of the provisions regarding
- 14 refusal of entry to or ejection from district property under
- 15 Section 37.105, including the appeal process established under
- 16 Section 37.105(h); and
- 17 (10) prohibit any non-human behavior by a student,
- 18 including presenting himself or herself, on days other than exempt
- 19 days, as anything other than a human being.
- 20 (b) In this section:
- 21 (1) "Bullying" has the meaning assigned by Section
- 22 37.0832.
- 23 (2) "Harassment" means threatening to cause harm or
- 24 bodily injury to another student, engaging in sexually intimidating
- 25 conduct, causing physical damage to the property of another
- 26 student, subjecting another student to physical confinement or
- 27 restraint, or maliciously taking any action that substantially

1 harms another student's physical or emotional health or safety. (3) "Hit list" means a list of people targeted to be 2 3 harmed, using: 4 (A) a firearm, as defined by Section 46.01(3), 5 Penal Code; a knife, as defined by Section 46.01(7), 6 (B) 7 Penal Code; or 8 (C) any other object to be used with intent to cause bodily harm. 9 "Student who is homeless" has the meaning assigned 10 to the term "homeless children and youths" under 42 U.S.C. Section 11 12 11434a. 13 (5) "Exempt day" means: 14 (A) Halloween, or any singular school day within 15 one calendar week of Halloween, as designated by the school district or school campus as a "Halloween Day"; 16 17 (B) school dress-up or activity days on which students are encouraged to wear costumes and garments that are 18 19 otherwise different from the district or school's normally accepted dress code, provided that: 20 21 (i) there are not more than five such days

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primarily related to the history or celebration of a biological or

history, a specific holiday, or a specific school event; and

artificial species other than homo sapiens; and

(ii) the theme is based on an era in human

(iii) the theme of the day is not solely or

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in a school year;

1	(C) a day that the student must rehearse,
2	perform, or attend an event that would otherwise require the
3	student to dress in costume if the student is a school mascot or is
4	involved in district funded or sponsored theatre organization.
5	(6) "Non-Human Behavior" means any type of behavior or
6	accessory displayed by a student in a school district other than
7	behaviors or accessories typically displayed by a member of the
8	homo sapiens species including:
9	(A) using a litter box for the passing of stool,
LO	urine, or other human byproducts;
L1	(B) a personal or outward display, except during
L2	a school play or by a school mascot, through surgical or superficial
L3	means of features that are non-human such as:
L4	(i) tails;
L5	(ii) leashes, collars, other accessories
L6	designed for pets;
L7	(iii) fur, other than naturally occurring
L8	human hair or a wig made to look like human hair;
L9	(iv) artificial, animal-like ears; or
20	(v) other physiological features that have
21	not historically been assigned to the homo sapiens species through
22	a means of natural biological development;
23	(C) barking, meowing, hissing, or other animal
24	noises that are not human speech; and
25	(D) licking oneself or others for the purpose of
26	grooming or maintenance.
7	(7) "Human heing" means a hiological entity that

- 1 belongs to the species homo sapien.
- 2 SECTION 3. Section 37.002, Education Code, is amended by
- 3 adding Subsection (f) to read as follows:
- 4 (f) Limiting a student to engaging only in human behaviors
- 5 is not a violation of this section.
- 6 SECTION 4. Subchapter Z, Chapter 25, Education Code, is
- 7 amended by adding Section 29.905 to read as follows:
- 8 Sec. 25.905. PROHIBITION ON CERTAIN NON-HUMAN ACTIVITIES
- 9 AND BEHAVIORS. (a) "Exempt day" and "Human being" have the
- 10 definitions provided in Section 37.001.
- 11 (b) A student has an obligation to learn, grow, and advance
- 12 <u>as a human child. A student may not, during school hours, a planned</u>
- 13 district activity, or on school property:
- 14 (1) engage in any non-human behaviors as defined by
- 15 Chapter 37.001 (6) Education Code; or
- (2) present himself or herself, on days other than
- 17 exempt days, as anything other than a human being.
- 18 (c) A student or group of students may not create an
- 19 organization under Subchapter E, Chapter 25, Education Code, for
- 20 the purposes of circumventing the regulations in this chapter
- 21 unless the organization is federally recognized.
- SECTION 5. Subdivision 261.001(1), Family Code, is amended
- 23 to read as follows:
- 24 (1) "Abuse" includes the following acts or omissions
- 25 by a person:
- 26 (A) mental or emotional injury to a child that
- 27 results in an observable and material impairment in the child's

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- 1 growth, development, or psychological functioning, including, in
- 2 an education setting, allowing or encouraging the child to develop
- 3 <u>a dependance on or a belief that non-human</u> behaviors are societally
- 4 <u>acceptable</u>;
- 5 (B) causing or permitting the child to be in a
- 6 situation in which the child sustains a mental or emotional injury
- 7 that results in an observable and material impairment in the
- 8 child's growth, development, or psychological functioning;
- 9 (C) physical injury that results in substantial
- 10 harm to the child, or the genuine threat of substantial harm from
- 11 physical injury to the child, including an injury that is at
- 12 variance with the history or explanation given and excluding an
- 13 accident or reasonable discipline by a parent, guardian, or
- 14 managing or possessory conservator that does not expose the child
- 15 to a substantial risk of harm;
- 16 (D) failure to make a reasonable effort to
- 17 prevent an action by another person that results in physical injury
- 18 that results in substantial harm to the child;
- (E) sexual conduct harmful to a child's mental,
- 20 emotional, or physical welfare, including conduct that constitutes
- 21 the offense of continuous sexual abuse of young child or disabled
- 22 individual under Section 21.02, Penal Code, indecency with a child
- 23 under Section 21.11, Penal Code, sexual assault under Section
- 24 22.011, Penal Code, or aggravated sexual assault under Section
- 25 22.021, Penal Code;
- 26 (F) failure to make a reasonable effort to
- 27 prevent sexual conduct harmful to a child;

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- 1 (G) compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code, 2 3 including compelling or encouraging the child in a manner that constitutes an offense of trafficking of persons under Section 4 5 20A.02(a)(7) or (8), Penal Code, solicitation of prostitution under Section 43.021, Penal Code, or compelling prostitution under 6 Section 43.05(a)(2), Penal Code; 7 8 (H) causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the 9 10 child if the person knew or should have known that the resulting
- Section 43.21, Penal Code, or pornographic;

 (I) the current use by a person of a controlled substance as defined by Chapter 481, Health and Safety Code, in a manner or to the extent that the use results in physical, mental, or emotional injury to a child;

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photograph, film, or depiction of the child is obscene as defined by

- (J) causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 481, Health and Safety Code;
- (K) causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child as defined by Section 43.25, Penal Code;
- (L) knowingly causing, permitting, encouraging, engaging in, or allowing a child to be trafficked in a manner punishable as an offense under Section 20A.02(a)(5), (6), (7), or (8), Penal Code, or the failure to make a reasonable effort to prevent a child from being trafficked in a manner punishable as an

- 1 offense under any of those sections; or
- 2 (M) forcing or coercing a child to enter into a
- 3 marriage.
- 4 SECTION 6. Section 26.011, Education Code, is amended by
- 5 adding Subsections (c), (d), (e), and (f) to read as follows:
- 6 (c) A complainant who has a reasonable belief that a school
- 7 or school district or an employee of the school or school district
- 8 is committing a violation of Section 29.9051 or Section 21.0031(g),
- 9 Education Code, or Section 21.006(1), Education Code if the
- 10 violation is covered by Section 261.001(A), Family Code, may also
- 11 choose to file a complaint with the attorney general.
- 12 (d) If the attorney general determines that a school
- 13 district, or an employee of the district named in a complaint
- 14 received under Subsection (c) is violating this chapter, the
- 15 attorney general may file a petition for a writ of mandamus to
- 16 compel the governmental entity to comply with this chapter.
- 17 (e) A mandamus action under Subsection (d) must be filed in:
- 18 (1) the county in which the school or school district
- 19 is primarily located in; or
- 20 (2) Travis County if the school or school district is
- 21 an entity primarily operated by a statewide organization.
- 22 (f) If the attorney general finds an educator, education
- 23 <u>administrator</u>, school support staff, or a contractor who operates
- 24 for the school district in a role similar to a an educator,
- 25 education administrator, or school support staff in violation of
- 26 21.0031(g) Education Code, or 21.006(1) Education Code if the
- 27 violation is covered by Section 261.001(A) Family Code, the

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- 1 attorney general may levy a fine against the district not to exceed
- 2 \$10,000 for a first violation or \$25,000 for any subsequent
- 3 <u>violations.</u>
- 4 SECTION 7. This Act takes effect immediately if it receives
- 5 a vote of two-thirds of all the members elected to each house, as
- 6 provided by Section 39, Article III, Texas Constitution. If this
- 7 Act does not receive the vote necessary for immediate effect, this
- 8 Act takes effect September 1, 2025.