

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  
3 in 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  
13 for 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;

1           (3) outline conditions under which a student may be  
2 suspended as provided by Section 37.005 or expelled as provided by  
3 Section 37.007;

4           (4) specify that consideration will be given, as a  
5 factor in each decision concerning suspension, removal to a  
6 disciplinary alternative education program, expulsion, or  
7 placement in a juvenile justice alternative education program,  
8 regardless of whether the decision concerns a mandatory or  
9 discretionary action, to:

10                   (A) self-defense;

11                   (B) intent or lack of intent at the time the  
12 student engaged in the conduct;

13                   (C) a student's disciplinary history;

14                   (D) a disability that substantially impairs the  
15 student's capacity to appreciate the wrongfulness of the student's  
16 conduct;

17                   (E) a student's status in the conservatorship of  
18 the Department of Family and Protective Services; or

19                   (F) a student's status as a student who is  
20 homeless;

21           (5) provide guidelines for setting the length of a term  
22 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  
27 by the student that results in suspension, removal to a

1 disciplinary alternative education program, or expulsion;

2 (7) prohibit bullying, harassment, and making hit lists  
3 and ensure that district employees enforce those prohibitions;

4 (8) provide, as appropriate for students at each grade  
5 level, methods, including options, for:

6 (A) managing students in the classroom, on school  
7 grounds, and on a vehicle owned or operated by the district;

8 (B) disciplining students; and

9 (C) preventing and intervening in student  
10 discipline problems, including bullying, harassment, and making  
11 hit lists; ~~and~~

12 (9) include an explanation of the provisions regarding  
13 refusal of entry to or ejection from district property under  
14 Section 37.105, including the appeal process established under  
15 Section 37.105(h); and

16 (10) prohibit any non-human behavior by a student,  
17 including presenting himself or herself, on days other than exempt  
18 days, as anything other than a human being.

19 (b) In this section:

20 (1) "Bullying" has the meaning assigned by Section  
21 37.0832.

22 (2) "Harassment" means threatening to cause harm or  
23 bodily injury to another student, engaging in sexually  
24 intimidating conduct, causing physical damage to the property of  
25 another student, subjecting another student to physical  
26 confinement or restraint, or maliciously taking any action that  
27 substantially harms another student's physical or emotional health

1 or safety.

2 (3) "Hit list" means a list of people targeted to be  
3 harmed, using:

4 (A) a firearm, as defined by Section 46.01(3),  
5 Penal Code;

6 (B) a knife, as defined by Section 46.01(7), Penal  
7 Code; or

8 (C) any other object to be used with intent to  
9 cause bodily harm.

10 (4) "Student who is homeless" has the meaning assigned  
11 to the term "homeless children and youths" under 42 U.S.C. Section  
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  
16 district or school campus as a "Halloween Day";

17 (B) school dress-up or activity days on which  
18 students are encouraged to wear costumes and garments that are  
19 otherwise different from the district or school's normally  
20 accepted dress code, provided that:

21 (i) there are not more than five such days in  
22 a school year;

23 (ii) the theme is based on an era in human  
24 history, a specific holiday, or a specific school event; and

25 (iii) the theme of the day is not solely or  
26 primarily related to the history or celebration of a biological or  
27 artificial species other than homo sapiens; and

1           (C) a day that the student must rehearse, perform,  
2 or attend an event that would otherwise require the student to  
3 dress in costume if the student is a school mascot or is involved  
4 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,  
10 urine, or other human byproducts;

11           (B) a personal or outward display, except during a  
12 school play or by a school mascot, through surgical or superficial  
13 means of features that are non-human such as:

14                   (i) tails;

15                   (ii) leashes, collars, other accessories  
16 designed for pets;

17                   (iii) fur, other than naturally occurring  
18 human hair or a wig made to look like human hair;

19                   (iv) artificial, animal-like ears; or

20                   (v) other physiological features that have not  
21 historically been assigned to the homo sapiens species through a  
22 means of natural biological development;

23           (C) barking, meowing, hissing, or other animal  
24 noises that are not human speech; and

1                   (D) licking oneself or others for the purpose of  
2 grooming or maintenance.

3                   (7) "Human being" means a biological entity that belongs  
4 to the species homo sapien.

5           SECTION 3. Section 37.002, Education Code, is amended by  
6 adding Subsection (f) to read as follows:

7           (f) Limiting a student to engaging only in human behaviors is  
8 not a violation of this section.

9           SECTION 4. Subchapter Z, Chapter 25, Education Code, is  
10 amended by adding Section 29.905 to read as follows:

11           Sec. 25.905. PROHIBITION ON CERTAIN NON-HUMAN ACTIVITIES AND  
12 BEHAVIORS. (a) "Exempt day" and "Human being" have the definitions  
13 provided in Section 37.001.

14           (b) A student has an obligation to learn, grow, and advance  
15 as a human child. A student may not, during school hours, a planned  
16 district activity, or on school property:

17                   (1) engage in any non-human behaviors as defined by  
18 Chapter 37.001 (6) Education Code; or

19                   (2) present himself or herself, on days other than  
20 exempt days, as anything other than a human being.

21           (c) A student or group of students may not create an  
22 organization under Subchapter E, Chapter 25, Education Code, for  
23 the purposes of circumventing the regulations in this chapter  
24 unless the organization is federally recognized.

25           SECTION 5. Subdivision 261.001(1), Family Code, is amended to  
26 read as follows:

27                   (1) "Abuse" includes the following acts or omissions by

1 a person:

2 (A) mental or emotional injury to a child that  
3 results in an observable and material impairment in the child's  
4 growth, development, or psychological functioning, including, in  
5 an education setting, allowing or encouraging the child to develop  
6 a dependance on or a belief that non-human behaviors are societally  
7 acceptable;

8 (B) causing or permitting the child to be in a  
9 situation in which the child sustains a mental or emotional injury  
10 that results in an observable and material impairment in the  
11 child's growth, development, or psychological functioning;

12 (C) physical injury that results in substantial  
13 harm to the child, or the genuine threat of substantial harm from  
14 physical injury to the child, including an injury that is at  
15 variance with the history or explanation given and excluding an  
16 accident or reasonable discipline by a parent, guardian, or  
17 managing or possessory conservator that does not expose the child  
18 to a substantial risk of harm;

19 (D) failure to make a reasonable effort to prevent  
20 an action by another person that results in physical injury that  
21 results in substantial harm to the child;

22 (E) sexual conduct harmful to a child's mental,  
23 emotional, or physical welfare, including conduct that constitutes  
24 the offense of continuous sexual abuse of young child or disabled  
25 individual under Section 21.02, Penal Code, indecency with a child  
26 under Section 21.11, Penal Code, sexual assault under Section  
27 22.011, Penal Code, or aggravated sexual assault under Section

1 22.021, Penal Code;

2 (F) failure to make a reasonable effort to prevent  
3 sexual conduct harmful to a child;

4 (G) compelling or encouraging the child to engage  
5 in sexual conduct as defined by Section 43.01, Penal Code,  
6 including compelling or encouraging the child in a manner that  
7 constitutes an offense of trafficking of persons under Section  
8 20A.02(a)(7) or (8), Penal Code, solicitation of prostitution  
9 under Section 43.021, Penal Code, or compelling prostitution under  
10 Section 43.05(a)(2), Penal Code;

11 (H) causing, permitting, encouraging, engaging in,  
12 or allowing the photographing, filming, or depicting of the child  
13 if the person knew or should have known that the resulting  
14 photograph, film, or depiction of the child is obscene as defined  
15 by Section 43.21, Penal Code, or pornographic;

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

20 (J) causing, expressly permitting, or encouraging  
21 a child to use a controlled substance as defined by Chapter 481,  
22 Health and Safety Code;

23 (K) causing, permitting, encouraging, engaging in,  
24 or allowing a sexual performance by a child as defined by Section  
25 43.25, Penal Code;

26 (L) knowingly causing, permitting, encouraging,  
27 engaging in, or allowing a child to be trafficked in a manner



1 punishable as an offense under Section 20A.02(a) (5), (6), (7), or  
2 (8), Penal Code, or the failure to make a reasonable effort to  
3 prevent a child from being trafficked in a manner punishable as an  
4 offense under any of those sections; or

5 (M) forcing or coercing a child to enter into a  
6 marriage.

7 SECTION 6. Section 26.011, Education Code, is amended by  
8 adding Subsections (c), (d), (e), and (f) to read as follows:

9 (c) A complainant who has a reasonable belief that a school  
10 or school district or an employee of the school or school district  
11 is committing a violation of Section 29.9051 or Section 21.0031(g),  
12 Education Code, or Section 21.006(1), Education Code if the  
13 violation is covered by Section 261.001(A), Family Code, may also  
14 choose to file a complaint with the attorney general.

15 (d) If the attorney general determines that a school  
16 district, or an employee of the district named in a complaint  
17 received under Subsection (c) is violating this chapter, the  
18 attorney general may file a petition for a writ of mandamus to  
19 compel the governmental entity to comply with this chapter.

20 (e) A mandamus action under Subsection (d) must be filed in:

21 (1) the county in which the school or school district is  
22 primarily located in; or

23 (2) Travis County if the school or school district is an  
24 entity primarily operated by a statewide organization.

25 (f) If the attorney general finds an educator, education  
26 administrator, school support staff, or a contractor who operates  
27 for the school district in a role similar to a an educator,

1 education administrator, or school support staff in violation of  
2 21.0031(g) Education Code, or 21.006(1) Education Code if the  
3 violation is covered by Section 261.001(A) Family Code, the  
4 attorney general may levy a fine against the district not to exceed  
5 \$10,000 for a first violation or \$25,000 for any subsequent  
6 violations.

7       SECTION 7. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2025.