

By: Hughes, et al.  
(Gerdes, Tepper, Schatzline, et al.)

S.B. No. 689

A BILL TO BE ENTITLED

AN ACT

relating to employment practices regarding diversity and prohibiting the implementation of diversity, equity, and inclusion initiatives by certain governmental entities.

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

SECTION 1. Subtitle A, Title 6, Government Code, is amended by adding Chapter 621 to read as follows:

CHAPTER 621. PROHIBITION ON CERTAIN DIVERSITY, EQUITY, AND INCLUSION INITIATIVES

Sec. 621.001. DEFINITIONS. In this chapter:

(1) "Diversity, equity, and inclusion office" means an office, division, or other unit of a governmental entity established for the purpose of:

(A) influencing hiring or employment practices or workforce composition at the entity with respect to race, sex, color, or ethnicity, other than through the use of color-blind, race-neutral, and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;

(B) promoting differential treatment or providing special benefits to individuals on the basis of race, sex, color, or ethnicity;

(C) promoting policies or procedures designed or implemented in reference to race, sex, color, or ethnicity, other than policies or procedures:

1                   (i) approved in writing by the attorney  
2 general; and

3                   (ii) implemented for the sole purpose of  
4 ensuring compliance with any applicable federal law;

5                   (D) conducting trainings, programs, or  
6 activities designed or implemented in reference to race, sex,  
7 color, ethnicity, gender identity, or sexual orientation, other  
8 than trainings, programs, or activities:

9                   (i) developed by an attorney;

10                  (ii) approved in writing by the attorney  
11 general; and

12                  (iii) conducted for the sole purpose of  
13 ensuring compliance with any applicable court order or state or  
14 federal law; or

15                  (E) promoting, as an official position of the  
16 entity, a particular opinion referencing unconscious or implicit  
17 bias, cultural appropriation, allyship, transgender ideology,  
18 microaggressions, group marginalization, anti-racism, systemic  
19 oppression, social justice, intersectionality, neo-pronouns,  
20 heteronormativity, disparate impact, gender theory, racial or  
21 sexual privilege, or any related formulation of these concepts.

22                  (2) "Governmental entity" means:

23                  (A) a department, commission, board, office, or  
24 other agency that is in the executive branch of state government and  
25 that was created by the constitution or a statute, other than an  
26 institution of higher education as defined by Section [61.003](#),  
27 Education Code;

1                   (B) the legislature or a legislative state  
2 agency;

3                   (C) the supreme court, the court of criminal  
4 appeals, a court of appeals, a district court, or the Texas Judicial  
5 Council or another agency in the judicial branch of state  
6 government; or

7                   (D) a county, a municipality, a special purpose  
8 district, or any other political subdivision of this state, other  
9 than a school district.

10           Sec. 621.002. RESPONSIBILITY OF GOVERNMENTAL ENTITY  
11 REGARDING DIVERSITY, EQUITY, AND INCLUSION INITIATIVES. A  
12 governmental entity shall ensure that each unit of the entity does  
13 not, except as required by federal law:

14                   (1) compel, require, induce, or solicit any person to  
15 provide a diversity, equity, and inclusion statement or give  
16 preferential consideration to any person based on the provision of  
17 a diversity, equity, and inclusion statement;

18                   (2) establish or maintain a diversity, equity, and  
19 inclusion office; or

20                   (3) hire or assign an employee of the entity or  
21 contract with a third party to perform the duties of a diversity,  
22 equity, and inclusion office.

23           Sec. 621.003. COMPLAINT; ENFORCEMENT. (a) A person who has  
24 a reasonable belief that a governmental entity is violating this  
25 chapter may file a complaint with the attorney general.

26                   (b) If the attorney general determines that a governmental  
27 entity named in a complaint received under Subsection (a) is

1 violating this chapter, the attorney general may file a petition  
2 for a writ of mandamus to compel the governmental entity to comply  
3 with this chapter.

4 (c) A mandamus action under Subsection (b) must be filed in:

5 (1) Travis County, if the governmental entity is an  
6 entity described by Sections 621.001(2)(A)-(C); or

7 (2) the county in which the governmental entity is  
8 located, if the governmental entity is an entity described by  
9 Section 621.001(2)(D).

10 SECTION 2. Section 21.125(a), Labor Code, is amended to  
11 read as follows:

12 (a) Except as otherwise provided by this chapter, an  
13 unlawful employment practice is established when the complainant  
14 demonstrates that race, color, sex, national origin, religion, age,  
15 or disability was a motivating factor for an employment practice,  
16 even if other factors also motivated the practice[~~, unless race,~~  
17 ~~color, sex, national origin, religion, age, or disability is~~  
18 ~~combined with objective job-related factors to attain diversity in~~  
19 ~~the employer's work force]~~.

20 SECTION 3. Section 21.452, Labor Code, is amended to read as  
21 follows:

22 Sec. 21.452. DEVELOPMENT AND IMPLEMENTATION OF PERSONNEL  
23 POLICIES AND PROCEDURES. Each state agency shall develop and  
24 implement personnel policies and procedures that comply with this  
25 chapter[~~, including personnel selection procedures that~~  
26 ~~incorporate a workforce diversity program]~~.

27 SECTION 4. The following provisions of the Labor Code are

1 repealed:

2 (1) Section [21.121](#); and

3 (2) Subchapter [J](#), Chapter [21](#).

4 SECTION 5. 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.