

1-1 By: Hughes, et al. S.B. No. 689
1-2 (In the Senate - Filed December 20, 2024; February 3, 2025,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 24, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 24, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Hughes	X			
1-10	Paxton	X			
1-11	Bettencourt	X			
1-12	Birdwell	X			
1-13	Hall	X			
1-14	Hinojosa of Nueces	X			
1-15	Middleton	X			
1-16	Parker	X			
1-17	Perry			X	
1-18	Schwertner	X			
1-19	Zaffirini			X	

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 689 By: Paxton

1-21 A BILL TO BE ENTITLED
1-22 AN ACT

1-23 relating to employment practices regarding diversity and
1-24 prohibiting the implementation of diversity, equity, and inclusion
1-25 initiatives by certain governmental entities.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Subtitle A, Title 6, Government Code, is amended
1-28 by adding Chapter 621 to read as follows:

1-29 CHAPTER 621. PROHIBITION ON CERTAIN DIVERSITY, EQUITY, AND
1-30 INCLUSION INITIATIVES

1-31 Sec. 621.001. DEFINITIONS. In this chapter:

1-32 (1) "Diversity, equity, and inclusion office" means an
1-33 office, division, or other unit of a governmental entity
1-34 established for the purpose of:

1-35 (A) influencing hiring or employment practices
1-36 or workforce composition at the entity with respect to race, sex,
1-37 color, or ethnicity, other than through the use of color-blind,
1-38 race-neutral, and sex-neutral hiring processes in accordance with
1-39 any applicable state and federal antidiscrimination laws;

1-40 (B) promoting differential treatment or
1-41 providing special benefits to individuals on the basis of race,
1-42 sex, color, or ethnicity;

1-43 (C) promoting policies or procedures designed or
1-44 implemented in reference to race, sex, color, or ethnicity, other
1-45 than policies or procedures:

1-46 (i) approved in writing by the attorney
1-47 general; and

1-48 (ii) implemented for the sole purpose of
1-49 ensuring compliance with any applicable federal law;

1-50 (D) conducting trainings, programs, or
1-51 activities designed or implemented in reference to race, sex,
1-52 color, ethnicity, gender identity, or sexual orientation, other
1-53 than trainings, programs, or activities:

1-54 (i) developed by an attorney;

1-55 (ii) approved in writing by the attorney
1-56 general; and

1-57 (iii) conducted for the sole purpose of
1-58 ensuring compliance with any applicable court order or state or
1-59 federal law; or

1-60 (E) promoting, as an official position of the

entity, a particular opinion referencing unconscious or implicit bias, cultural appropriation, allyship, transgender ideology, microaggressions, group marginalization, anti-racism, systemic oppression, social justice, intersectionality, neo-pronouns, heteronormativity, disparate impact, gender theory, racial or sexual privilege, or any related formulation of these concepts.

(2) "Governmental entity" means:

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

(B) the legislature or a legislative state agency;

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

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

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

(1) establish or maintain a diversity, equity, and inclusion office; or

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

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

(b) If the attorney general determines that a governmental entity named in a complaint received under Subsection (a) is violating this chapter, the attorney general may file a petition for a writ of mandamus to compel the governmental entity to comply with this chapter.

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

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

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

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

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

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

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

SECTION 4. The following provisions of the Labor Code are repealed:

(1) Section 21.121; and

(2) Subchapter J, Chapter 21.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

3-1 Act takes effect September 1, 2025.

3-2 * * * * *