

By: Hughes, et al.
(Smithee)

S.B. No. 1999

A BILL TO BE ENTITLED

AN ACT

relating to protection for a public employee's or student's use of terms consistent with biological sex.

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

SECTION 1. Subchapter 2, Chapter 22, Education Code, is amended by adding Section 22.905 to read as follows:

Sec. 22.905. PROTECTION FOR USE OF TERMS CONSISTENT WITH BIOLOGICAL SEX. (a) A school district or open-enrollment charter school may not discipline, retaliate against, or otherwise discriminate against a student or district or school employee who addresses a student or district or school employee in terms consistent with the biological sex of the student or employee.

(b) This section may not be construed to:

(1) limit a school district or open-enrollment charter school from adopting policies and procedures to prohibit and prevent bullying under Section 37.0832; and

(2) authorize a person to engage in conduct that constitutes harassment in violation of Section 42.07, Penal Code.

SECTION 2. Subchapter 2, Chapter 51, Education Code, is amended by adding Section 51.991 to read as follows:

Sec. 51.991. PROTECTION FOR USE OF TERMS CONSISTENT WITH BIOLOGICAL SEX. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) An institution of higher education may not discipline,

1 retaliate against, or otherwise discriminate against a student or
2 an employee of the institution who addresses a student or employee
3 in terms consistent with the biological sex of the student or
4 employee.

5 (c) This section may not be construed to authorize a student
6 or an employee of the institution to engage in conduct that
7 constitutes harassment in violation of Section 42.07, Penal Code.

8 SECTION 3. Subtitle A, Title 6, Government Code, is amended
9 by adding Chapter 621 to read as follows:

10 CHAPTER 621. PROTECTION FOR USE OF TERMS CONSISTENT WITH
11 BIOLOGICAL SEX

12 Sec. 621.001. DEFINITION. In this chapter, "public
13 employer" has the meaning assigned by Section 619.001.

14 Sec. 621.002. PROTECTION FOR USE OF TERMS CONSISTENT WITH
15 BIOLOGICAL SEX. (a) A public employer may not discipline,
16 retaliate against, or otherwise discriminate against an employee of
17 the public employer who addresses another employee or person in
18 terms consistent with the biological sex of the employee or person.

19 (b) This section may not be construed to authorize an
20 employee of a public employer to engage in conduct that constitutes
21 harassment in violation of Section 42.07, Penal Code.

22 SECTION 4. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2025.