

By: Middleton  
Hinojosa of Nueces

S.B. No. 2713

A BILL TO BE ENTITLED

AN ACT

relating to preventing discrimination in membership in a professional or trade association.

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

SECTION 1. Subtitle C, Title 5, Business & Commerce Code, is amended by adding Chapter 121 to read as follows:

CHAPTER 121. DISCRIMINATION BY PROFESSIONAL OR TRADE ASSOCIATION

PROHIBITED

Sec. 121.001. DENIAL OF MEMBERSHIP OR SERVICES. (a) A professional or trade association may not deny a person access to or membership or participation in the association because of race, color, religion, sex, disability, familial status, or national origin or because of the person's exercise of the person's freedom of speech or assembly, notwithstanding any provision of the association's bylaws.

(b) Notwithstanding Subsection (a), a professional or trade association may deny a person access to or membership or participation in the association because the person has engaged in speech that:

(1) directly incites criminal activity;

(2) constitutes a specific threat of violence against a person because of the person's race, color, disability status, religion, familial status, national origin or ancestry, age, sex, or status as a peace officer or judge; or

1           (3) otherwise constitutes unlawful speech.

2           (c) This chapter does not apply to a professional or trade  
3 association whose membership or participation in the association is  
4 exclusively based on race, color, religion, sex, disability,  
5 familial status, or national origin.

6           Sec. 121.002. PRIVATE CAUSE OF ACTION. (a) A person  
7 aggrieved by a violation of Section 121.001 may bring an action  
8 against the professional or trade association for injunctive relief  
9 or damages.

10           (b) The court may award court costs and reasonable  
11 attorney's fees to the prevailing party in an action brought under  
12 this section.

13           SECTION 2. This Act takes effect September 1, 2025.