A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain facilities and activities of
political subdivisions, including public school districts, and
open-enrollment charter schools.

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

SECTION 1. The heading to Chapter 250, Local Government
Code, is amended to read as follows:

CHAPTER 250. MISCELLANEOUS REGULATORY AUTHORITY OF
MUNICIPALITIES, [AND] COUNTIES, AND OTHER LOCAL GOVERNMENTS

SECTION 2. Chapter 250, Local Government Code, is amended
by adding Section 250.009 to read as follows:

Sec. 250.009. REGULATION OF CERTAIN FACILITIES AND
ACTIVITIES. (a) Each multiple-occupancy restroom, shower, and
changing facility of a political subdivision, including a public
school district, or an open-enrollment charter school must be
designated for and used only by persons of the same sex as stated on
a person's birth certificate.

(b) Except in accordance with federal law as enacted by
Congress and interpreted in controlling federal case law and state
law as enacted by the legislature and interpreted in controlling
case law of this state, a political subdivision, including a public
school district, or an open-enrollment charter school may not adopt
or enforce an order, ordinance, policy, or other measure to protect
a class of persons from discrimination to the extent that the order,
ordinance, policy, or other measure regulates:

(1) access to multiple-occupancy restrooms, showers, or changing facilities; or

(2) participation in athletic activities.

(c) This section may be enforced only through an action instituted by the attorney general for mandamus or injunctive relief. The attorney general may recover costs and attorney's fees related to enforcing this section.

SECTION 3. 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 Act takes effect on the 91st day after the last day of the legislative session.