

# ★ TEXAS IMPACT

PEOPLE OF FAITH WORKING FOR JUSTICE

# State of Play: LGBTQ+ Rights

## What Happened in the 89th Texas Legislature and What Comes Next

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**T**he Texas Legislature's 2025 sessions did not end the way LGBTQ+ rights advocates had hoped, but as we start the new year and prepare for the interim, it's important to not only reflect on the losses but also on the ground we retained during a battle on all fronts.

From the so-called "Bathroom Bill," to allowing Christian Nationalist ideology to influence public school policy, some harmful bills were passed, despite our best efforts. Still, others—including some governing the everyday lives of transgender students—failed.

Here's a look back at what happened and a glimpse of where we're going from here.

### **The Anti-Trans "Bathroom Bill" Becomes Law**

After a years-long legislative fight, the so-called "Bathroom Bill" passed in Texas, imposing regulations on bathroom and locker room usage in political subdivisions across Texas. Similar legislation has appeared at least five times in recent sessions, failing to pass in different forms, but this one succeeded.

Specifically, enforcement relies on complaints by residents to the attorney general's office, which—after an investigation—may impose fines on the institution determined to be violating the law of \$25,000 for a first offense and \$125,000 for repeat offenses.

This indirect approach appears designed not to solve a problem but to sow confusion. The bill offers no reliable path for compliance, meaning rules could differ from building to building—even within the same city. That patchwork of enforcement doesn't just keep trans people in constant danger of harassment, but also risks making them the scapegoats for public frustration at the chaos.

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The bill also raises troubling questions for houses of worship. Churches acting as polling places, synagogues partnering with cities, or mosques receiving public funds for community programs may all fall into the definition of political subdivisions. The bill provides no clarity on whether—or how—faith communities would be required to comply.

Faith became a flashpoint in the debate over the bill on the House floor. Rep. Anchía invoked scripture during the layout of Amendment 1—quoting Galatians’ teaching that “there is neither Jew nor Greek” and Matthew’s warning against judgment—to argue that the bill violates both the spirit and message of the Gospel. In response, one Republican member accused him of being a “wolf in sheep’s clothing,” using the same chapter of Matthew. Rep. Charlene Ward Johnson, drawing on her experience as a preacher’s daughter, countered that using faith as an excuse to advance discriminatory bills—and twisting the gospel to sow division—is itself against God.

There is a lot of uncertainty surrounding how the law will be enforced. Texans of faith concerned about this law are encouraged to remain engaged by contacting their representatives and speaking out in support of transgender Texans, local institutions, and local government.

## **Other Bad Bills that Passed**

We knew that we wouldn’t get out of the legislative session without taking some hits. These are other bills that made it through.

- HB 1106 confirms that denial of or harassment about a child’s expressed gender identity or sexual orientation is not considered child abuse.
- HB 229 defines what it is to be a man, woman, boy, girl, father, or mother in the state of Texas and mandates that our governmental institutions may only classify people as male or female.
- SB 1188 mandates that, among other things, all health records must include a patient’s sex as assigned at birth in a male/female fashion and that it cannot be changed unless there is a clerical error or a sexual development disorder.
- SB 12 says that public schools may not develop any policy, program, or procedure that focuses on an individual’s sexual orientation or gender identity, and cannot designate an employee as being in charge of DEI-related work.
- SB 1257 requires insurance companies that provide insurance coverage for gender affirming care to also provide coverage for its reversal.
- SB 13 institutes school library councils tasked with prohibiting and removing “profane” content and gives all parents access to the school library’s catalog and their student’s library record.
- SB 965 allows public school employees to engage in religious speech or prayer on school time.

## Harmful Bills that Failed to Pass

Thankfully, there were some wins. Here is some harmful legislation that didn't make it on the books.

- HB 1655 would have prohibited public school employees from assisting a student with social transitioning, authorizing a civil penalty.
- HB 4503 would have required binary sex as assigned at birth on all medical records.
- SB 1999 would have allowed school and government employees and employers to misgender transgender students or employees.
- SB 240 would have forced transgender people into private spaces consistent with the sex assigned at birth.
- SB 406 would have required binary sex to be designated on birth certificates at or near birth and prohibit any changes in the future.
- SB 753 would have made it a crime for physicians to refer a minor to a physician who provides gender affirming care to minors.
- SB 810 would have protected school employees who misgender transgender students from any ramifications.

## Good Bills Also Failed

While there was much to celebrate, some good bills unfortunately didn't cross the finish line. Still, the setbacks are an opportunity to regroup and refocus our advocacy.

- HB 1111 would have prohibited discrimination on the basis of sexual orientation, gender identity, or gender expression.
- HB 450 would have recognized those who separated from military service on the basis of sexual orientation as having been honorably discharged according to the state.
- SB 189 would have added sexual orientation and gender identity to the criminal procedures code about bias-motivated (hate) crimes.

## So, What Now?

As we head into the interim, we can continue our work outside of session by communicating with our representatives, talking with our friends and neighbors, and paying attention to opportunities to use our voice. In addition, several agencies could see major overhauls during the upcoming Sunset review—and chances are, the issues we care about the most could be on the chopping block. Our goal is to continue the fight for the health, wellbeing, and rights of all Texans, and LGBTQ+ policy priorities are a vital part of that effort.

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Texas Impact equips people of faith and conscience with information, opportunities, and outreach tools to educate their communities and engage with lawmakers on pressing public policy issues.

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