



Written by [Raven Clabough](#) on May 23, 2017

Texas House Passes Transgender Bathroom Bill

Texas lawmakers in the House of Representatives have passed a bill that will require transgender students to use bathrooms that correspond to their biological sex, which differs from the North Carolina law that has sparked so much controversy in that its scope is limited to schools. Previous efforts to pass a measure similar to North Carolina's law have been stalled in the Texas House, compelling lawmakers to take a different approach.



Fox News reports that members of the Texas House of Representatives addressed the transgender bathroom issue with an amendment to a bill pertaining to school emergency operations, SB 2078. The amendment limits the scope of the transgender bathroom debate to schools and mandates that students use the bathroom of their biological gender. For students who wish to opt out of using their designated bathrooms, a private single occupancy bathroom will serve as an alternative.

Republican State Rep. Chris Paddie states that the amendment preserves the "privacy, dignity and safety" of Texas students.

The addition of the amendment sparked fiery debate on the floor.

"The bill as filed is about disasters, and terror attacks and emergencies. How does your amendment fit into this bill?" asked Representative Joseph Moody, a Democrat from El Paso.

"I think it's absolutely about child safety," Paddie said.

Moody countered by stating that transgender students tend to be the victims of bullying and sex crimes in bathrooms, not perpetrators, to which Paddie remarked that the purpose of the bill is to provide equal protection to all, including transgender students.

"It's about the safety of the same child that you just referenced, that is a transgender child that's assaulted. It's about that student as well. This amendment treats all students the same," Paddie said.

The bill cleared the House on Monday in a 94-51 vote. It is expected to be easily passed in the Senate and signed by Republican Gov. Greg Abbott, who has been an outspoken supporter of a transgender bathroom bill.

"Gov. Abbott's hope is that the House and the Senate will agree on a measure that, at a minimum, protects the privacy of students in locker rooms and restrooms, and he will continue to work with members of both chambers to achieve that goal," said John Wittman, a spokesman for the governor.



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Texas is one of 16 states to consider transgender bathroom legislation, the *Washington Post* observes. Texas lawmakers proposed a bill similar to North Carolina's transgender bathroom law in Senate Bill 6, which would have required transgender individuals to use bathrooms in public schools, government buildings, and public university campuses that correspond to their biological sex. Like HB2, Senate Bill 6 in Texas also prohibited cities from passing ordinances that would violate the law by allowing transgender individuals to elect which bathroom they will use.

But according to Texas Lieutenant Governor Dan Patrick, who has advocated for Senate Bill 6, media misinformation about the measure sparked public outcry and successfully halted the bill in its tracks. The National Football League is one such entity that spoke out against Senate Bill 6, despite the bill having no impact on stadiums or private businesses.

"The NFL embraces inclusiveness. We want all fans to feel welcomed at our events and NFL policies prohibit discrimination based on age, gender, race, religion, sexual orientation, or any other improper standard," McCarthy said. "If a proposal that is discriminatory or inconsistent with our values were to become law there, that would certainly be a factor considered when thinking about awarding future events," announced NFL spokesman Brian McCarthy.

While Senate Bill 6 passed without issue in the Texas Senate, it failed in the House.

Texas lawmakers are hopeful that the amendment's limited scope to schools will be perceived as "middle ground" and will not provoke the same backlash as Senate Bill 6 or North Carolina's HB2.

House Speaker Joe Straus, a Republican from San Antonio, seems to think so. Straus opposed Senate Bill 6 on the grounds that it would provoke backlash and hurt the Texas economy, which has been strong in recent years. Straus has indicated support for the House amendment, however, stating it "will allow us to avoid the severely negative impact" that would have resulted from the original Senate bill.

After witnessing North Carolina's experience — losing over \$3 billion as a result of boycotts, according to an Associated Press analysis — lawmakers in states across the country have been reluctant to take a stance on the transgender bathroom debate for fear of public backlash.

The backlash against North Carolina's HB2 has been significant, with companies such as Deutsche Bank and PayPal Holdings announcing that they would not expand operations within the state. Other major companies such as Apple, Google, and American Airlines have spoken out against the law. And performers Bruce Springsteen, Demi Lovato, and Nick Jonas, as well as bands such as Pearl Jam and Boston, canceled concerts in the state.

Additionally, the National Basketball Association's 2017 All-Star Game was also moved out of North Carolina.

"While we recognize that the NBA cannot choose the law in every city, state, and country in which we do business, we do not believe we can successfully host our All-Star festivities in Charlotte in the climate created by HB2," the league said in a statement.

It's worth noting that none of the venues at which any of these events would have taken place would have been affected by the bathroom law.

And still, despite the Texas amendment's limited scope, not everyone is happy with the compromise.

Rebecca Robertson, legal and policy director for the American Civil Liberties Union of Texas, insisted, "there can be no compromise on discrimination. Transgender children aren't bargaining chips for lawmakers to trade, and their safety and dignity are non-negotiable." The ACLU has said it is prepared



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to launch a legal challenge if the bill becomes law.

Texas has led the charge to protect children by opposing measures that would permit transgender individuals to use the bathroom of their choice. When President Obama and the U.S. Department of Education attempted to overreach with a directive that schools implement requirements that would have allowed exactly that, Texas led a lawsuit challenging that directive, and a federal judge in the Lone Star State ordered it suspended. That directive has since been rescinded by the Trump administration.



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