



Talking Points on SB 3 & SB 91

** Note - there is a minor difference between these two bills, but it isn't substantive.*

- SB3 and SB91 mandate HB2-style anti-transgender discrimination in any multiple-occupancy restroom or locker room in any property owned by a city, county, school district, public university, state agency, or other political subdivision.
 - The bill would require that these entities limit access to restrooms, locker rooms, and changing facilities to people based on the sex designated on their birth certificate.
 - This is the same policy implemented by HB2 in North Carolina that visited such reputational, economic, and personal harm on the state.
- Further, it would overturn LGBTQ-inclusive nondiscrimination ordinances protecting millions of people across Texas in cities such as Austin, San Antonio, Dallas and Fort Worth insofar as those ordinances protect people from discrimination in bathrooms and locker rooms.
 - The ordinances will continue to be in effect other than as they pertain to restrooms (so, people can't be denied service by a cafe, but they can be denied access to the cafe restroom consistent with their gender identity if the proprietor wants to - they'll no longer be subject to non-discrimination laws that prevent them from doing that).
 - Government entities - including public homeless shelters, the DMV, city and county owned property including airports and stadiums.
- It also prohibits these entities from forbidding discrimination in athletics based on any characteristic not currently reflected in state law -- an obvious jab at transgender athletes. This is unnecessary, mean spirited, and disregards the fact that there are no reason transgender athletes shouldn't be able to compete alongside their peers.