

The Privacy Act – Unfinished Business

The Privacy Act (SB6) is a critical issue that has been a legislative priority for many pastors and the conservative grassroots of Texas throughout the entire 85th legislative session. We have watched as the Texas House Leadership has continually refused to acknowledge our concerns and refused to allow the entirety of the Privacy Act to be brought to the House floor for debate and a vote by our elected representatives. ***The People’s voice has thus been denied.***

Last night, House Leadership attempted to quell the rising tide of criticism and avoid the threat of a special session by allowing a Privacy Act amendment on another bill. Representative Chris Paddie offered a poorly worded amendment to HB 2078 that did not sufficiently address the privacy issue. This was a feeble maneuver by the House Leadership to gloss over the very real issues of safety and common decency facing Texans. Speaker Joe Straus was even quoted as saying that Paddie’s Amendment would “...dispose of the issue...” regarding a special session on the Privacy Act. ***We strongly disagree with Speaker Straus’s assessment.***

This amendment does not define “biological sex” as did the Privacy Act’s SB 6 language, which links gender directly to what appears on a person’s birth certificate; therefore a student’s biological sex could still be linked to their “gender identity” under policies such as those of Ft. Worth ISD and Dripping Springs ISD. The Paddie Amendment does not prohibit biological males from declaring themselves female at will, and biological females from declaring themselves to be male. Since this amendment DOES NOT prohibit a school district from adding “gender identity” and “sexual orientation” to its policies, the room for interpretation appears wide open. ***This is unacceptable to the undersigned.***

Lt. Governor Dan Patrick stated today, “I share Governor Abbott’s concern about the lack of a rollback provision in Senate Bill 669 on property taxes. In terms of Privacy, I had not seen the language on the Paddie Amendment on House Bill 2078 before it was voted on last night. I also have concerns about its ambiguous language, which doesn’t appear to do much. There is still time for the House and Senate to address these concerns--which are both priorities for Texas voters -- in a meaningful way.” •

We agree with Lt. Governor Patrick. The broad coalition of conservative organizations listed on this letter wish to convey to Governor Abbott, Lt. Governor Patrick, Speaker Straus, and the Texas Legislature that we continue to seek a law that:

- ◆ Requires men and women to use separate, designated restrooms according to their biological sex.
- ◆ Prevents local municipalities from creating laws making it possible for sexual predators to enter restrooms and victimize either sex.
- ◆ Ensures Texas businesses have the liberty to establish bathroom policies that cannot be overridden by local governments.
- ◆ Prevents public schools from establishing restroom policies that allow boys to go in girls' restrooms, locker rooms, or showers, and vice versa.

If passed in its entirety, SB 6 would protect the dignity and privacy of all Texans in intimate facilities in public schools and government buildings. It would also exempt private businesses from local government laws dictating restroom, locker room, and changing area policies. The solution to the problem is still on the table.

The undersigned coalition stands united in its pursuit of proper privacy protections for public school children, including those enrolled in dual credit courses at institutions of higher education, as well as right of conscience protections for business owners. It is evident to us that Representative Paddie’s amendment is not the answer because it fails to do any of these things. We look forward to working with House and Senate Leadership to reach an agreement on what is acceptable and in the best interest of the people of the great state of Texas.

