

SUBJECT: Establishing the Texas Commission on Antisemitism

COMMITTEE: Culture, Recreation and Tourism — committee substitute recommended

VOTE: 9 ayes — K. King, Gervin-Hawkins, Burns, Clardy, Frullo, Israel, Krause, Martinez, C. Morales

0 nays

WITNESSES: For —Randall Czarlinsky, American Jewish Committee; Ben Proler;
(*Registered, but did not testify:* Joel Schwitzer, American Jewish Committee; Mark Vane)

Against — None

On — Mark Wolfe, Texas Historical Commission

DIGEST: CSHB 3257 would establish the Texas Commission on Antisemitism and specify that the commission would be administratively attached to the Texas Historical Commission (THC). The Texas Commission on Antisemitism would be subject to the Texas Sunset Act and would be abolished September 1, 2033, unless continued in statute.

Definition. The bill would define “antisemitism” as a certain perception of Jews that may be expressed as hatred towards Jews. The term would include rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. The bill would establish as examples of antisemitism those that are included with the International Holocaust Remembrance Alliance's "Working Definition of Antisemitism" adopted on May 26, 2016.

Duties. The Texas Commission on Antisemitism would have to:

- conduct a study on antisemitism in Texas and submit a report on the results of the study to the governor, the lieutenant governor, the

House speaker, and the Legislature no later than November 1 of each even-numbered year;

- provide advice and assistance to public and private primary and secondary schools and institutions of higher education in Texas regarding methods of combating antisemitism;
- meet with appropriate representatives of public and private organizations, including service organizations, to provide information on and to assist in planning, coordinating, or modifying antisemitism awareness programs; and
- solicit volunteers to participate in commemorative events designed to enhance public awareness of the fight against antisemitism.

The commission would have to adopt rules as necessary for its own procedures.

Composition. The commission would be composed of nine members appointed by the governor. Commission members would have to be residents of Texas, and the commission would have to include members who demonstrated a significant interest in and were knowledgeable about issues in the Jewish community and antisemitism.

Commission members would serve staggered six-year terms with the terms of three members expiring February 1 of each odd-numbered year. As soon as practicable after the effective date of the bill, the governor would have to appoint members to the commission. The governor would have to provide for three of the members to serve terms expiring February 1, 2023, three of the members to serve terms expiring February 1, 2025, and three of the members to serve terms expiring February 1, 2027. Subsequent appointments would be for six-year terms.

A commission member would be eligible for reappointment to another term or part of a term, but could not serve more than two consecutive terms. A member would be considered to have served a term only if the member served two or more years of a term.

A commission member would not be entitled to compensation but would

be entitled to reimbursement for travel expenses incurred while transacting commission business, as provided by the general appropriations act.

The governor would have to designate a presiding officer of the commission to serve in that capacity at the pleasure of the governor.

Advisory status. The commission would function only in an advisory capacity in implementing its powers and duties. Membership on the commission would not constitute a public office. Statutes concerning state agency advisory committees would not apply to the commission.

Meetings. The commission would have to meet at least quarterly in Texas as designated by the commission. Five voting members of the commission would constitute a quorum for transacting commission business.

The commission would have to develop and implement policies that provided the public with a reasonable opportunity to appear before the commission and speak on any issue under the commission's jurisdiction.

Staff. THC would have to provide one part-time employee to serve as the coordinator for the Texas Commission on Antisemitism to transact commission business.

THC could provide staff and support functions and activities of the Texas Commission on Antisemitism from money available to THC that could be used for this purpose. The Legislature could specifically appropriate money to THC to provide staff and to otherwise support functions and activities of the commission.

Funding. The commission could accept gifts, grants, and donations from a public or private source to use in performing its duties. The commission could participate in the establishment and operation of an affiliated nonprofit organization whose purpose was to raise funds for or provide other services or benefits to the commission.

The bill would take effect September 1, 2021.

**SUPPORTERS
SAY:**

CSHB 3257 would help raise awareness of and combat antisemitism by defining it in statute and creating the Texas Commission on Antisemitism, to be housed in the Texas Historical Commission. Incidents of antisemitism are on the rise in the United States, but a recent survey found a worrying lack of awareness by the public about these incidents and antisemitism more broadly. The bill would help address this problem in Texas by codifying a definition of antisemitism broadly used internationally and requiring a new specialized commission to study and make recommendations for fighting antisemitism in Texas, including through educational opportunities.

The bill takes the crucial step of formally defining antisemitism in statute and appropriately creates a commission to combat antisemitism. The state government should direct resources towards its priorities, including combating antisemitism. The bill would house the Texas Commission on Antisemitism within an existing state agency for this purpose.

**CRITICS
SAY:**

CSHB 3257 would create a new government commission and involve the government in educating the public about antisemitism, a responsibility best reserved for religious institutions and parents.