

SUBJECT: Repealing the offense of homosexual conduct

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 9 ayes — Moody, Cook, Bhojani, Bowers, Darby, Harrison, Leach, C. Morales, Schatzline

0 nays

WITNESSES: For — Gary Schumann, Austin LGBT Chamber of Commerce; Meaghan Bihun; LaNaya Blackwell; Malcolm Harlan (*Registered, but did not testify*; Lauren Johnson, ACLU of Texas; Stephanie Perdue, Central Texas Pride Community Center; M Paige Williams, Dallas County Criminal District Attorney John Creuzot; Ricardo Martinez, Equality Texas; Nancy Kasten, Faith Commons; Heather Allison, Fund Texas Choice; Bethany Carson, Sybil Sybille, Grassroots Leadership; Christina Glenn, HISD; Elizabeth Henneke, Lone Star Justice Alliance; Lauren Wolf, Pflugerville Area Democrats; Januari Fox, Prism Health North Texas; Adrian Shelley, Public Citizen; Nora Gustafson, Queer Friends ATX; Maggie Luna, Statewide Leadership Council; Sarah Reyes, Texas Center for Justice and Equity; Jenny Hixon, Texas Civil Rights Project; Cindy Cuellar, Cerena Haefs, Cameron Mayfield, Gabrielle Tilley, Texas Freedom Network; Joshua Houston, Texas Impact; Angelica Chavez, Gracie Israel, Elizabeth Mckay, Jaqueline Noyola, Joshua Ramos, Alexandra Flucke, Texas Rising; Erin Walter, Texas Unitarian Universalist Justice Ministry; Cynthia Van Maanen, Travis County Democratic Party; Patty Quinzi, TX - American Federation of Teachers; Georgia Bates, Vivent Health; and 263 individuals)

Against — Jonathan Covey, Texas Values; Mary Elizabeth Castle, Texas Values Action (*Registered, but did not testify*; Veronica Costilla, Texas Rising; Jonathan Saenz, Texas Values Action; and six individuals)

BACKGROUND: Concerns have been raised that certain statutes from the 1980s and 1990s still require certain educational materials to include language emphasizing that homosexual conduct is a criminal offense, which is still in effect.

DIGEST: CSHB 2055 would repeal the offense of engaging in deviate sexual intercourse with another individual of the same sex, which is a class C misdemeanor (maximum fine of \$500).

The bill also would remove requirements for certain health education programs to include materials stating that homosexual conduct is a criminal offense.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.