

Texas Passes the CROWN Act, Joining 20 Other States in Banning Racial Discrimination Based on Hair Texture or Hairstyle

June 1, 2023



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On May 27, 2023, Governor Greg Abbott signed into law the CROWN Act ([House Bill No. 567](#)), making Texas the twenty-first state to ban racial discrimination based on hair texture or hairstyle in schools, employment, and housing. Regarding employment, the act amends Chapter 21 of the Texas Labor Code by adding section 21.1095.

Quick Hits

- ▶ Starting September 1, 2023, it will be illegal in Texas to discriminate, or to adopt or enforce a dress or grooming policy that discriminates, on the basis of an employee's hair texture or protective hairstyle commonly or historically associated with race.
- ▶ Texas employers may want to take steps now to comply with the CROWN Act.

Section 21.1095(a) defines "protective hairstyle" to include "braids, locks, and twists." Section (b) prohibits discrimination "because of or on the basis of an employee's hair texture or protective hairstyle commonly or historically associated with race." Under section (c), the act applies to any "employer, labor union, or employment agency" and further prohibits any employment practice that "adopts or enforces a dress or grooming policy that discriminates against a hair texture or protective hairstyle commonly or historically associated with race."

According to the CROWN Coalition—an organization that champions the legislation nationwide—the purpose of the act is to combat race-based discrimination and bias based on hair texture and hairstyle, especially related to Black women. CROWN is an acronym for "Creating a Respectful and Open World for Natural Hair."

The new law takes effect on September 1, 2023.

With Texas's recent enactment, versions of the CROWN Act are now law in twenty-one states, including Alaska, [California](#), Colorado, [Connecticut](#), Delaware, [Illinois](#), [Louisiana](#), Maine, [Massachusetts](#), [Maryland](#), [Minnesota](#), Nebraska, Nevada, [New Jersey](#), New Mexico, New York, [Oregon](#), Tennessee, Virginia, and [Washington](#), as well as the [U.S. Virgin Islands](#).

Key Takeaways

Texas employers may want to (1) ensure their EEO, anti-discrimination, anti-harassment, and dress/grooming policies do not allow discrimination or harassment based on hair texture or a protective hairstyle commonly or historically associated with race and (2) train employees, managers, and supervisors on the new policy.

Ogletree Deakins will continue to monitor developments and will provide updates on the [Diversity and Inclusion](#) and [Employment Law](#) blogs as additional information becomes available.

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