

1-1 By: Buckingham, et al. S.B. No. 4  
1-2 (In the Senate - Filed March 12, 2021; March 18, 2021, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 March 29, 2021, reported favorably by the following vote: Yeas 7,  
1-5 Nays 0; March 29, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15			X	
1-16	X			

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to provisions in agreements between governmental entities  
1-20 and professional sports teams requiring the United States national  
1-21 anthem to be played at team events.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subtitle F, Title 10, Government Code, is  
1-24 amended by adding Chapter 2274 to read as follows:

1-25 CHAPTER 2274. AGREEMENTS WITH PROFESSIONAL SPORTS TEAMS

1-26 Sec. 2274.001. DEFINITIONS. In this chapter:

1-27 (1) "Governmental entity" has the meaning assigned by  
1-28 Section 2251.001.

1-29 (2) "Professional sports team" has the meaning  
1-30 assigned by Section 2004.002, Occupations Code. The term includes  
1-31 a wholly owned subsidiary, majority-owned subsidiary, parent  
1-32 company, or affiliate of a professional sports team that exists to  
1-33 make a profit.

1-34 (3) "Sporting event" means any preseason, regular  
1-35 season, or postseason game of a professional sports team.

1-36 Sec. 2274.002. PROVISIONS REQUIRED IN CERTAIN AGREEMENTS.  
1-37 A governmental entity may not enter into an agreement with a  
1-38 professional sports team that requires a financial commitment by  
1-39 this state or any governmental entity unless the agreement  
1-40 includes:

1-41 (1) a written verification that the professional  
1-42 sports team will play the United States national anthem at the  
1-43 beginning of each team sporting event held at the team's home venue  
1-44 or other facility controlled by the team for the event; and

1-45 (2) a provision providing that failure to comply with  
1-46 the written verification required by Subdivision (1) for any team  
1-47 sporting event at the team's home venue or other facility:

1-48 (A) constitutes a default of the agreement;

1-49 (B) immediately subjects the team to any penalty  
1-50 the agreement authorizes for default, which may include requiring  
1-51 the team to repay any money paid to the team by this state or any  
1-52 governmental entity or classifying the team as ineligible to  
1-53 receive further money under the agreement; and

1-54 (C) may subject the team to debarment from  
1-55 contracting with this state.

1-56 Sec. 2274.003. STRICT ADHERENCE TO DEFAULT PROVISION. (a)  
1-57 A governmental entity that enters into an agreement with a  
1-58 professional sports team shall strictly adhere to the default  
1-59 provision required by Section 2274.002(2).

1-60 (b) If a governmental entity fails to timely adhere to the  
1-61 default provision required under Section 2274.002(2), the attorney

2-1 general may intervene to enforce the provision.

2-2 SECTION 2. This Act takes effect September 1, 2021.

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