

By: Lindsay

S.B. No. 843

A BILL TO BE ENTITLED

AN ACT

relating to the distribution of flyers at a public school by a nonprofit organization.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 33, Education Code, is amended by adding Section 33.906 to read as follows:

Sec. 33.906. DISTRIBUTION OF FLYERS BY NONPROFIT ORGANIZATION. (a) A school district shall, to the extent reasonable, accommodate an organization in distributing flyers at a district campus if the flyer complies with Subsection (b) and the district's superintendent or the superintendent's designee determines that:

(1) the organization qualifies for a tax exemption under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code; and

(2) the activities promoted in the flyer are acceptable and beneficial for the district's students.

(b) Each flyer must state that:

(1) the activity promoted in the flyer is not a school-district-sponsored activity; and

(2) the district does not endorse the activity.

(c) An organization that is permitted to distribute flyers under this section shall provide a campus administrator with the flyers bound in groups of 25, unless the administrator specifies a

1 different amount, so that the administrator may provide for
2 distributing the flyers for the organization.

3 SECTION 2. This Act takes effect September 1, 2005.