



13 MAR 25 PM 12:41

FLOOR AMENDMENT NO. _____ HOUSE OF REPRESENTATIVES

BY: Matt Krause

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following section to the bill, numbered appropriately:

3 SECTION _____. (a) The legislature finds that a school
4 district that denies an organization access to its limited
5 public forum on the grounds that the organization is religious
6 in nature, or that the viewpoints expressed by the organization
7 are religious in nature, is violating the organization's free
8 speech rights. To protect those rights, this Act intends to
9 codify the supporting language of the United States Supreme
10 Court in Good News Club v. Milford Central School, 533 U.S. 98
11 (2001), and Lamb's Chapel v. Center Moriches Union Free School
12 District, 508 U.S. 384 (1993).

13 (b) Subchapter D, Chapter 11, Education Code, is amended
14 by adding Section 11.1651 to read as follows:

15 Sec. 11.1651. PROHIBITION OF DISPARATE TREATMENT IN
16 ALLOWING ACCESS TO SCHOOL CAMPUSES DURING NON-INSTRUCTIONAL TIME
17 BASED ON RELIGIOUS NATURE OF ORGANIZATION. If the board of
18 trustees of an independent school district allows noncurricular
19 community organizations not organized or operated primarily by
20 students access to district school campuses during non-
21 instructional time, the district must provide religious
22 organizations the same access to school campuses during non-
23 instructional time as is given to other noncurricular
24 organizations without discrimination based on any religious
25 nature of an organization or on an organization's activities on
26 campus, including expression of religious viewpoints.