

By: Krause

H.B. No. 1525

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prohibiting the board of trustees of an independent
3 school district from exercising disparate treatment in allowing
4 access to school campuses during non-instructional time based on
5 the religious nature of an organization.

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

7 SECTION 1. The legislature finds that a school district
8 that denies an organization access to its limited public forum on
9 the grounds that the organization is religious in nature, or that
10 the viewpoints expressed by the organization are religious in
11 nature, is violating the organization's free speech rights. To
12 protect those rights, this Act intends to codify the supporting
13 language of the United States Supreme Court in Good News Club v.
14 Milford Central School, 533 U.S. 98 (2001), and Lamb's Chapel v.
15 Center Moriches Union Free School District, 508 U.S. 384 (1993).

16 SECTION 2. Subchapter D, Chapter 11, Education Code, is
17 amended by adding Section 11.1651 to read as follows:

18 Sec. 11.1651. PROHIBITION OF DISPARATE TREATMENT IN
19 ALLOWING ACCESS TO SCHOOL CAMPUSES DURING NON-INSTRUCTIONAL TIME
20 BASED ON RELIGIOUS NATURE OF ORGANIZATION. If the board of trustees
21 of an independent school district allows noncurricular community
22 organizations not organized or operated primarily by students
23 access to district school campuses during non-instructional time,
24 the district must provide religious organizations the same access

1 to school campuses during non-instructional time as is given to
2 other noncurricular organizations without discrimination based on
3 any religious nature of an organization or on an organization's
4 activities on campus, including expression of religious
5 viewpoints.

6 SECTION 3. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.