1-1	By: Fallon S.B. No. 1569
1-2	(In the Senate - Filed March 5, 2019; March 14, 2019, read
1-3	first time and referred to Committee on State Affairs;
1-4	April 9, 2019, reported adversely, with favorable Committee
1-5	Substitute by the following vote: Yeas 6, Nays 2; April 9, 2019,
1-6	sent to printer.)
1-7	COMMITTEE VOTE
1-8	Yea Nay Absent PNV
1-9	Huffman X
1-10	Hughes X
1-11	Birdwell X
1-12	Creighton X
1-13	Fallon X
1-14	Hall X
1-15	Lucio X
1 - 16	Nelson X
1 - 17	Zaffirini X
1-18	COMMITTEE SUBSTITUTE FOR S.B. No. 1569 By: Fallon
1-19	A BILL TO BE ENTITLED
1-20	AN ACT
$1-21 \\ 1-22 \\ 1-23 \\ 1-24 \\ 1-25 \\ 1-26 \\ 1-27 \\ 1-28 \\ 1-29 \\ 1-30 \\ 1-31 \\ 1-32 \\ 1-33 \\ 1-34 \\ 1-35 \\ 1-36 \\ 1-37 \\ 1-38 \\ 1-30 \\ $	<pre>relating to the use of public money and resources by employees of an independent school district to distribute a communication that advocates for or opposes a political measure, candidate, or party; creating a criminal offense. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: SECTION 1. Section 11.169, Education Code, is amended to read as follows: Sec. 11.169. ELECTIONEERING PROHIBITED. Notwithstanding any other law, the board of trustees or a member of the board of trustees of an independent school district or an employee or contractor of an independent school district to electioneer for or against any candidate, measure, or political party. SECTION 2. Section 251.001(16), Election Code, is amended to read as follows:</pre>
1-39 1-40 1-41 1-42 1-43 1-44	<pre>public officer, or a measure that:</pre>
1-45	<pre>billboard or other sign, bumper sticker, or similar form of written</pre>
1-46	communication; or
1-47	
1-48	any social media platform, or in any electronic communication; or
1-49	(C) is directed to an individual person or
1-50	multiple persons through any form of communication.
1 - 51 1 - 52 1 - 53	SECTION 3. Section 255.003, Election Code, is amended by adding Subsections (a-1) and (a-2) and amending Subsection (c) to read as follows:
1-54	(a-1) An officer, employee, or contractor of an independent
1-55	school district may not use or authorize the use of public funds or
1-56	resources to distribute a communication in any form that advocates
1-57	for or opposes any political candidate, measure, or party.
1-58	(a-2) For purposes of Subsection (a-1):
1-59	(1) the following qualifies as the use of public funds
1-60	or resources:

	C C C D No 1560
2-1	C.S.S.B. No. 1569 (A) the development or distribution, or
2-1	arrangement for the development or distribution, of a communication
2-2	described by Subsection (a-1) that occurs during the working hours
2-4	of an officer, employee, or contractor or during any period of time
2-5	in which the officer, employee, or contractor is compensated by the
2-6	independent school district; or
2-7	(B) the provision of contact information by an
2-8	officer, employee, or contractor to a political action committee or
2-9	similar entity for the purpose of distributing a communication
2-10	described by Subsection (a-1); and
2-11	(2) the use of a personal electronic device on school
2-12	district property by an officer, employee, or contractor to access
2-13	the Internet during the officer's, employee's, or contractor's
2-14	personal time for the purpose of developing or distributing, or
2-15	arranging for the development or distribution of, a communication
2-16	described by Subsection (a-1) does not qualify as the use of public
2-17	funds or resources.
2-18	(c) A person who violates Subsection (a), (a-1), or (b-1)
2-19	commits an offense. An offense under this section is a Class A
2-20	misdemeanor.
2-21	SECTION 4. Section 255.003(b), Election Code, is repealed.
2-22	SECTION 5. Section 255.003, Election Code, as amended by
2-23	this Act, applies to the use of public funds or resources that
2-24	occurs on or after the effective date of this Act. The use of public
2-25	funds or resources that occurs before the effective date of this Act
2-26	is governed by the law in effect before the effective date of this
2-27	Act, and that law is continued in effect for that purpose.
2-28	SECTION 6. This Act takes effect immediately if it receives
2-29	a vote of two-thirds of all the members elected to each house, as
2-30	provided by Section 39, Article III, Texas Constitution. If this
2-31	Act does not receive the vote necessary for immediate effect, this
2-32	Act takes effect September 1, 2019.

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