

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

	Yea	Nay	Absent	PNV
1-8				
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 relating to the use of public money and resources by employees of an
1-22 independent school district to distribute a communication that
1-23 advocates for or opposes a political measure, candidate, or party;
1-24 creating a criminal offense.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 11.169, Education Code, is amended to
1-27 read as follows:

1-28 Sec. 11.169. ELECTIONEERING PROHIBITED. Notwithstanding
1-29 any other law, the board of trustees or a member of the board of
1-30 trustees of an independent school district or an employee or
1-31 contractor of an independent school district may not use state or
1-32 local funds or other resources of the district to electioneer for or
1-33 against any candidate, measure, or political party.

1-34 SECTION 2. Section 251.001(16), Election Code, is amended
1-35 to read as follows:

1-36 (16) "Political advertising" means a communication
1-37 supporting or opposing a candidate for nomination or election to a
1-38 public office or office of a political party, a political party, a
1-39 public officer, or a measure that:

1-40 (A) in return for consideration, is published in
1-41 a newspaper, magazine, or other periodical or is broadcast by radio
1-42 or television; ~~or~~

1-43 (B) appears:

1-44 (i) in a pamphlet, circular, flier,
1-45 billboard or other sign, bumper sticker, or similar form of written
1-46 communication; or

1-47 (ii) on an Internet website, including on
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 SECTION 3. Section 255.003, Election Code, is amended by
1-52 adding Subsections (a-1) and (a-2) and amending Subsection (c) to
1-53 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:

2-33