

By: Paxton

S.B. No. 425

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a school district's use of public money to pay fees or  
3 dues or provide compensation to a nonprofit state association or  
4 organization that engages in certain lobbying activities.

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

6 SECTION 1. Section 45.105, Education Code, is amended by  
7 amending Subsection (c) and adding Subsection (c-2) to read as  
8 follows:

9 (c) Local school funds from district taxes, tuition fees of  
10 students not entitled to a free education, other local sources, and  
11 state funds not designated for a specific purpose may be used for  
12 the purposes listed for state and county available funds and for  
13 purchasing appliances and supplies, paying insurance premiums,  
14 paying janitors and other employees, buying school sites, buying,  
15 building, repairing, and renting school buildings, including  
16 acquiring school buildings and sites by leasing through annual  
17 payments with an ultimate option to purchase, and, except as  
18 provided by Subsections [~~Subsection~~] (c-1) and (c-2), for other  
19 purposes necessary in the conduct of the public schools determined  
20 by the board of trustees. The accounts and vouchers for county  
21 districts must be approved by the county superintendent. If the  
22 state available school fund in any municipality or district is  
23 sufficient to maintain the schools in any year for at least eight  
24 months and leave a surplus, the surplus may be spent for the

1 purposes listed in this subsection.

2 (c-2) Funds described by Subsection (c) may not be used to  
3 pay fees or dues or provide compensation in any manner to a  
4 nonprofit state association or organization that advocates for or  
5 against or otherwise influences or attempts to influence the  
6 outcome of legislation pending before the legislature on the  
7 collective behalf of school boards in this state.

8 SECTION 2. Section 48.201, Education Code, is amended to  
9 read as follows:

10 Sec. 48.201. PURPOSE. The purpose of the tier two  
11 component of the Foundation School Program is to provide each  
12 school district with the opportunity to provide the basic program  
13 and to supplement that program at a level of its own choice. An  
14 allotment under this subchapter may be used for any legal purpose  
15 other than:

- 16 (1) capital outlay or debt service; or  
17 (2) a purpose prohibited by Section 45.105(c-1) or  
18 (c-2) or another provision of this code.

19 SECTION 3. Section 45.105(c-2), Education Code, as added by  
20 this Act, and Section 48.201, Education Code, as amended by this  
21 Act, apply only to a payment or other compensation made on or after  
22 the effective date of this Act.

23 SECTION 4. This Act takes effect September 1, 2023.