By:  Campbell, Middleton S.B. No. 2986

A BILL TO BE ENTITLED

AN ACT

relating to use by a religious organization of public school or institution of higher education facilities.

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

SECTION 1.  Subchapter D, Chapter 11, Education Code, is amended by adding Section 11.173 to read as follows:

Sec. 11.173.  USE OF SCHOOL FACILITIES BY RELIGIOUS ORGANIZATION. (a) A school district or open-enrollment charter school may allow a religious organization to use the district's or school's facilities to host religious worship, services, sermons, or assemblies only if:

(1)  the use of the facilities does not interfere with the district's or school's primary educational mission;

(2)  the religious organization provides the fair market rental value or reimbursement for utilities, security, and other costs related to the use of the facilities as determined by the board of trustees of the district or the governing body of the school, unless waived by the board or governing body;

(3)  the religious organization agrees to be held liable for any damages that occur in the organization's use of the facilities;

(4)  the religious organization is subject to the same rental terms for the use of the facilities that a nonreligious organization would be subjected to for that use; and

(5)  any additional requirements imposed by other law for the use of the facilities are satisfied.

(b)  A religious organization's use of a school district's or open-enrollment charter school's facilities interferes with the district's or school's primary educational mission for purposes of Subsection (a)(1) if:

(1)  the organization engages in an activity described by Subsection (a) during regular school hours;

(2)  the organization displays signage, symbols, books, or flyers on the district's or school's property during any period other than the period in which the district or school allows the organization to use the district's or school's facilities; or

(3)  the district or school or an employee of the district or school promotes the organization's use of the facilities in any manner, including by distributing information or making an announcement regarding the organization or use or including an activity described by Subsection (a) on an academic calendar.

(c)  A state agency, political subdivision, school district, or other governmental entity may not impose a penalty or sanction on or deny funding to a school district or open-enrollment charter school based on the district's or school's decision to allow a religious organization to use the district's or school's facilities in the manner provided by Subsection (a).

(d)  This section may not be construed to require a school district or open-enrollment charter school to allow a religious organization to use the district's or school's facilities for religious purposes if the district or school elects not to do so.

SECTION 2.  Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.984 to read as follows:

Sec. 51.984.  USE OF INSTITUTION FACILITIES BY RELIGIOUS ORGANIZATION. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b)  An institution of higher education may allow a religious organization to use the institution's facilities to host religious worship, services, sermons, or assemblies only if:

(1)  the use of the facilities does not interfere with the institution's primary educational mission;

(2)  the religious organization provides the fair market rental value or reimbursement for utilities, security, and other costs related to the use of the facilities as determined by the institution or the institution's governing board, unless waived by the institution or the institution's governing board;

(3)  the religious organization agrees to be held liable for any damages that occur in the organization's use of the facilities;

(4)  the religious organization is subject to the same rental terms for the use of the facilities that a nonreligious organization would be subjected to for that use; and

(5)  any additional requirements imposed by other law for the use of the facilities are satisfied.

(c)  A religious organization's use of an institution of higher education's facilities interferes with the institution's primary educational mission for purposes of Subsection (b)(1) if:

(1)  the organization engages in an activity described by Subsection (b) during regular instructional hours, as determined by the institution for purposes of this section;

(2)  the organization displays signage, symbols, books, or flyers on the institution's property during any period other than the period in which the institution allows the organization to use the institution's facilities; or

(3)  the institution or an employee of the institution promotes the organization's use of the facilities in any manner, including by distributing information or making an announcement regarding the organization or use or including an activity described by Subsection (b) on an academic calendar.

(d)  A state agency, political subdivision, or other governmental entity may not impose a penalty or sanction on or deny funding to an institution of higher education based on the institution's decision to allow a religious organization to use the institution's facilities in the manner provided by Subsection (b).

(e)  This section may not be construed to require an institution of higher education to allow a religious organization to use the institution's facilities for religious purposes if the institution elects not to do so.

SECTION 3.  The changes in law made by this Act do not affect the terms of a contract entered into before the effective date of this Act, except that if the contract is renewed, modified, or extended on or after the effective date of this Act, the changes in law made by this Act apply to the contract beginning on the date of renewal, modification, or extension.

SECTION 4.  This Act takes effect September 1, 2025.