

By: Gámez

H.B. No. 3386

A BILL TO BE ENTITLED

AN ACT

relating to political advertising distributed or broadcast as part of a mass text message campaign.

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

SECTION 1. Section 251.001, Election Code, is amended by amending Subdivision (16) and adding Subdivision (22) to read as follows:

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

(A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television or as part of a mass text message campaign; or

(B) appears:

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

(ii) on an Internet website.

(22) "Mass text message campaign" means an organized effort in which a person sends a text message to multiple recipients in support of or opposition to a candidate, a political party, a public officer, or a measure and which involves an expenditure of funds for the messages that exceed the basic cost of hardware,

1 messaging software, and bandwidth.

2 SECTION 2. The changes in law made by this Act apply only to
3 political advertising that is distributed or broadcast on or after
4 the effective date of this Act. The distribution or broadcasting of
5 political advertising before the effective date of this Act is
6 governed by the law in effect on the date the political advertising
7 was distributed or broadcast, and the former law is continued in
8 effect for that purpose.

9 SECTION 3. This Act takes effect September 1, 2025.