

By: Birdwell

S.B. No. 875

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prohibiting election activities committed by a member
3 of the board of trustees or superintendent of an independent school
4 district or on certain school district premises; creating criminal
5 offenses.

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

7 SECTION 1. Section 11.169, Education Code, is amended to
8 read as follows:

9 Sec. 11.169. ELECTIONEERING PROHIBITED. (a)
10 Notwithstanding any other law, a member of the board of trustees of
11 an independent school district commits an offense if the member
12 uses [may not use] state or local funds or other resources of the
13 district, including a district e-mail address, district telephone,
14 mailing list maintained by the district, or meeting organized by or
15 held on the premises of the district, to electioneer for or against
16 any candidate, measure, or political party.

17 (b) An offense under this section is a Class A misdemeanor.

18 SECTION 2. Section 11.201, Education Code, is amended by
19 adding Subsections (f) and (g) to read as follows:

20 (f) Notwithstanding any other law, the superintendent of a
21 school district commits an offense if the superintendent uses state
22 or local funds or other resources of the district, including a
23 district e-mail address, district telephone, mailing list
24 maintained by the district, or meeting organized by or held on the

1 premises of the district, to electioneer for or against any
2 candidate, measure, or political party.

3 (g) An offense under Subsection (f) is a Class A
4 misdemeanor.

5 SECTION 3. Chapter 276, Election Code, is amended by adding
6 Section 276.020 to read as follows:

7 Sec. 276.020. UNLAWFUL ELECTION ACTIVITY ON CERTAIN
8 INDEPENDENT SCHOOL DISTRICT CAMPUSES. (a) The chief administrator
9 of the campus of an independent school district commits an offense
10 if the administrator knowingly permits the posting of political
11 signs on the premises of the campus for longer than 48 hours during
12 any time other than:

13 (1) the early voting period, if the campus is being
14 used as an early voting polling place; or

15 (2) on election day, if the campus is being used as a
16 polling place.

17 (b) An offense under this section is a Class B misdemeanor.

18 SECTION 4. The changes in law made by this Act apply only to
19 an offense committed on or after the effective date of this Act. An
20 offense committed before the effective date of this Act is governed
21 by the law in effect on the date the offense was committed, and the
22 former law is continued in effect for that purpose. For purposes of
23 this section, an offense was committed before the effective date of
24 this Act if any element of the offense occurred before that date.

25 SECTION 5. This Act takes effect September 1, 2025.