

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

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

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

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

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

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

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

25           (d) This section may not be construed to require a school  
26 district or open-enrollment charter school to allow a religious  
27 organization to use the district's or school's facilities for

1 religious purposes if the district or school elects not to do so.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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