

1-1 By: Birdwell, Bettencourt S.B. No. 875
1-2 (In the Senate - Filed January 22, 2025; February 13, 2025,
1-3 read first time and referred to Committee on State Affairs;
1-4 March 17, 2025, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; March 17, 2025, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18			X	

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to prohibiting election activities committed by a member
1-22 of the board of trustees or superintendent of an independent school
1-23 district or on certain school district premises; creating criminal
1-24 offenses.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 11.169, Education Code, is amended to
1-27 read as follows:

1-28 Sec. 11.169. ELECTIONEERING PROHIBITED. (a)
1-29 Notwithstanding any other law, a member of the board of trustees of
1-30 an independent school district commits an offense if the member
1-31 uses ~~may not use~~ state or local funds or other resources of the
1-32 district, including a district e-mail address, district telephone,
1-33 mailing list maintained by the district, or meeting organized by or
1-34 held on the premises of the district, to electioneer for or against
1-35 any candidate, measure, or political party.

1-36 (b) An offense under this section is a Class A misdemeanor.

1-37 SECTION 2. Section 11.201, Education Code, is amended by
1-38 adding Subsections (f) and (g) to read as follows:

1-39 (f) Notwithstanding any other law, the superintendent of a
1-40 school district commits an offense if the superintendent uses state
1-41 or local funds or other resources of the district, including a
1-42 district e-mail address, district telephone, mailing list
1-43 maintained by the district, or meeting organized by or held on the
1-44 premises of the district, to electioneer for or against any
1-45 candidate, measure, or political party.

1-46 (g) An offense under Subsection (f) is a Class A
1-47 misdemeanor.

1-48 SECTION 3. Chapter 276, Election Code, is amended by adding
1-49 Section 276.020 to read as follows:

1-50 Sec. 276.020. UNLAWFUL ELECTION ACTIVITY ON CERTAIN
1-51 INDEPENDENT SCHOOL DISTRICT CAMPUSES. (a) The chief administrator
1-52 of the campus of an independent school district commits an offense
1-53 if the administrator knowingly permits the posting of political
1-54 signs on the premises of the campus for longer than 48 hours during
1-55 any time other than:

1-56 (1) the early voting period, if the campus is being
1-57 used as an early voting polling place; or

1-58 (2) on election day, if the campus is being used as a
1-59 polling place.

1-60 (b) An offense under this section is a Class B misdemeanor.

1-61 SECTION 4. The changes in law made by this Act apply only to

2-1 an offense committed on or after the effective date of this Act. An
2-2 offense committed before the effective date of this Act is governed
2-3 by the law in effect on the date the offense was committed, and the
2-4 former law is continued in effect for that purpose. For purposes of
2-5 this section, an offense was committed before the effective date of
2-6 this Act if any element of the offense occurred before that date.
2-7 SECTION 5. This Act takes effect September 1, 2025.

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