

BILL ANALYSIS

Senate Research Center
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S.B. 843
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Education
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Fewer children are participating in privately operated after school programs and activities because of lack of awareness. Currently, many schools do not distribute flyers advertising such programs. Other schools that do participate distribute flyers in limited quantity rather than school-wide. Non-profits are simply trying to provide a valuable service to children and they are being hindered because school districts do not wish to help. Such programs operated by non-profit organizations build self esteem and confidence, prevent crime, prevent obesity, bring communities together and help provide leadership.

As proposed, S.B. 843 would require school districts, to the extent reasonable, to accommodate non-profit organizations in distributing flyers at school campuses. To be classified as a non-profit, the organization must qualify for a tax exemption under Section 501(a) of the Internal Revenue Code. Also, the activities being promoted must be beneficial for students and each flyer must have a disclaimer stating that the activity is not a school district-sponsored activity.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 33, Education Code, by adding Section 33.906, as follows:

Sec. 33.906. DISTRIBUTION OF FLYERS BY NONPROFIT ORGANIZATION. (a) Requires a school district, to the extent reasonable, to accommodate an organization in distributing flyers at a district campus if the flyer complies with Subsection (b) and the district's superintendent or the superintendent's designee makes certain determinations regarding the organization and the flyer.

(b) Requires that the flyer state certain information.

(c) Requires an organization that is permitted to distribute flyers under this section to provide a campus administrator with the flyers bound in groups of 25, unless the administrator specifies a different amount, so that the administrator may provide for distributing the flyers for the organization.

SECTION 2. Effective date: September 1, 2005.