

## **BILL ANALYSIS**

Senate Research Center

S.B. 1699  
By: Hughes  
State Affairs  
4/9/2021  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 18 from the Regular Session of the 86th Legislature was signed into law on June 10, 2019, and provides a general framework for protecting expressive activities at public institutions of higher education. S.B. 1699 addresses one matter not directly covered by S.B. 18: the ability of student organizations formed for the purpose of exercising expressive rights to establish and maintain membership and leadership qualifications that further the organization's expressive purpose. Freedom of association is integrally linked to freedom of speech, and S.B. 1699 protects both liberties for student organizations at public institutions of higher education.

As proposed, S.B. 1699 amends current law relating to the protection of expressive rights of student organizations at public institutions of higher education.

### **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 Section 51.9315, Education Code, by amending Subsection (a) and adding Subsection (g-1), as follows:

Sec. 51.9315. PROTECTED EXPRESSION ON CAMPUS. (a) Defines "expressive rights." Makes conforming changes.

(g-1) Requires an institution of higher education to permit a student organization formed for the purpose of exercising expressive rights to establish and maintain membership and leadership qualifications for the organization that further the organization's purpose, including by requiring the organization's leaders or members to adhere to or comply with the organization's sincerely held beliefs or sincere standards of conduct, or to be committed to furthering the organization's mission or purpose.

SECTION 2. Effective date: upon passage or September 1, 2021.