

CHAPTER 99

H.B. No. 426

AN ACT

relating to the right of certain fire and police personnel to engage in certain political activities.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. APPLICATION. This Act applies to a municipality with a population of 10,000 or more, according to the most recent federal census, but does not apply to a municipality covered by Chapter 325, Acts of the 50th Legislature, 1947 (Article 1269m, Vernon's Texas Civil Statutes).

SECTION 2. POLITICAL ACTIVITIES. (a) While in uniform or on active duty, an employee of the fire or police department of a municipality may not engage in a political activity relating to a campaign for an elective office.

(b) For the purposes of this section, a person engages in a political activity if the person:

- (1) makes a public political speech supporting or opposing a candidate;
- (2) distributes a card or other political literature relating to the campaign of a candidate;
- (3) wears a campaign button;
- (4) circulates or signs a petition for a candidate;
- (5) solicits votes for a candidate; or
- (6) solicits campaign contributions for a candidate.

(c) While out of uniform and not on active duty, an employee of the fire or police department may engage in a political activity relating to a campaign for an elective office, including each activity listed in Subsection (b) of this section, except that such an employee may not solicit campaign contributions for a candidate other than from members of an employee organization to which that employee belongs.

SECTION 3. RESTRICTION PROHIBITED. A municipality covered by this Act may not restrict the right of an employee of the fire or police department to engage in a political activity permitted by this Act.

SECTION 4. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 1, 1987, by a non-record vote. Passed by the Senate on April 30, 1987, by a viva-voce vote.

Approved May 14, 1987.

Effective 90 days after date of adjournment.