

By: Buckingham, et al.

S.B. No. 4

A BILL TO BE ENTITLED
AN ACT

relating to provisions in agreements between governmental entities and professional sports teams requiring the United States national anthem to be played at team events.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle F, Title 10, Government Code, is amended by adding Chapter 2274 to read as follows:

CHAPTER 2274. AGREEMENTS WITH PROFESSIONAL SPORTS TEAMS

Sec. 2274.001. DEFINITIONS. In this chapter:

(1) "Governmental entity" has the meaning assigned by Section 2251.001.

(2) "Professional sports team" has the meaning assigned by Section 2004.002, Occupations Code. The term includes a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of a professional sports team that exists to make a profit.

(3) "Sporting event" means any preseason, regular season, or postseason game of a professional sports team.

Sec. 2274.002. PROVISIONS REQUIRED IN CERTAIN AGREEMENTS.

A governmental entity may not enter into an agreement with a professional sports team that requires a financial commitment by this state or any governmental entity unless the agreement includes:

(1) a written verification that the professional sports team will play the United States national anthem at the beginning of each team sporting event held at the team's home venue or other facility controlled by the team for the event; and

(2) a provision providing that failure to comply with the written verification required by Subdivision (1) for any team sporting event at the team's home venue or other facility:

(A) constitutes a default of the agreement;

(B) immediately subjects the team to any penalty the agreement authorizes for default, which may include requiring the team to repay any money paid to the team by this state or any governmental entity or classifying the team as ineligible to receive further money under the agreement; and

(C) may subject the team to debarment from contracting with this state.

Sec. 2274.003. STRICT ADHERENCE TO DEFAULT PROVISION. (a)

A governmental entity that enters into an agreement with a professional sports team shall strictly adhere to the default provision required by Section 2274.002(2).

(b) If a governmental entity fails to timely adhere to the default provision required under Section 2274.002(2), the attorney general may intervene to enforce the provision.

SECTION 2. This Act takes effect September 1, 2021.