

**Education Administration & Planning 1**

**Amendment No. 1 to HB0158**

**Brooks H**  
**Signature of Sponsor**

**AMEND Senate Bill No. 183**

**House Bill No. 158\***

by deleting Section 5 of the bill and substituting instead:

SECTION 5. Tennessee Code Annotated, Section 2-19-206, is amended by adding the following language as a new, appropriately designated subsection:

(d)

(1) Subsections (a), (b), and (c) shall not apply to teachers.

(2) It is unlawful for any teacher to display campaign literature, banners, placards, streamers, stickers, signs, or other items of campaign or political advertising on behalf of any party, committee or agency, or candidate for partisan or nonpartisan public office elected by the people, on the premises of any building or land owned by a local education agency (LEA), or to use any of the facilities of the LEA, including equipment and vehicles, for such purposes. This subdivision (d)(2) does not apply to the display of campaign banners, placards, streamers, stickers, signs, or other items of campaign or political advertising on LEA-owned property or the use of LEA equipment, when the display or use is a part of and solely for the purpose of the LEA's program of student education relative to the electoral process. Except for the use of LEA-owned equipment and vehicles, this subdivision (d)(2) does not apply to a teacher during hours in which the teacher is not performing school duties.

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(3) This subsection (d) shall not be construed to prohibit any teacher from displaying a decal or bumper sticker on the teacher's personal vehicle while the vehicle is parked on LEA property.

**AND FURTHER AMEND** by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 2-19-207, is amended by adding the following language as a new subsection (c):

(c)

(1) Subsections (a) and (b) shall not apply to teachers.

(2) It is unlawful for any teacher employed by an LEA during those hours of the day when the LEA requires the teacher to be performing school duties to:

(A) Engage actively in a political campaign on behalf of any party, committee, organization, or agency;

(B) Engage in a campaign for a candidate for partisan or nonpartisan public office elected by the people;

(C) Attend political meetings or rallies;

(D) Use the teacher's employment to interfere with or affect the result of any regular or special primary election conducted within the state; or

(E) Perform political campaign duties or functions.

(3) Nothing in this subsection (c) shall be construed to deprive a teacher from voting for the party or candidate of the teacher's choice or to deprive the teacher of the right to express the teacher's personal opinion concerning any political subject, party, or candidate.

(4) A teacher on leave or during those hours in which the teacher is not required to be performing school duties is not subject to the restrictions in subdivision (c)(2). No policy or rule of an LEA shall be more restrictive of the political activity of a teacher on leave or during those hours in which the teacher is not required to be performing school duties than those restrictions set forth in this subsection (c).