

NOTICE OF PROPOSED AMENDMENTS TO THE RULES

Proposed Amendments to the Rules of the Republican Party of Texas Concerning the Use of Litigation to Suppress Protected Speech

Submitted to: The State Republican Executive Committee

Proposed by: [FULL NAME], [TITLE], Senate District [SD ##]

Meeting at which proposal is to be considered: [DATE OF NEXT QUARTERLY SREC MEETING]

Date this full text was delivered in writing to each member: [DATE]

NOTICE DEADLINE, READ THIS FIRST. Rule No. 1(a)(1) permits the SREC to propose an amendment to the Rules by majority vote at any meeting properly called and constituted, **provided at least seven (7) days prior written notice of the full text proposed has been given in writing to each member.** Under Rule No. 1(g), the first day is excluded and the last day is included; if the last day falls on a Saturday, Sunday, or legal holiday, the period extends to the next day that is not. This full text must therefore be in the hands of every member no later than the seventh day before the meeting. If that window is missed by one day, this item is not properly before the body and cannot be considered.

WHY THIS IS A SEPARATE INSTRUMENT. Under Rule No. 1(b) the Rules may be changed only by action of a State Convention, reflecting a majority of votes cast by delegates present and voting. The SREC cannot enact any of the amendments below. It can propose them. Upon adoption of this proposal the amendments are carried forward to the Permanent Committee on Rules and Order of Business of the 2028 State Convention under Rule No. 34(b). The emergency provisions of Rule No. 1(c) are not available, because that Rule requires one of four enumerated triggers, being new state legislation, an administrative or judicial action, an interpretation by the Republican National Committee, or a technical inconsistency or defect. None applies here.

RELATIONSHIP TO THE COMPANION RESOLUTION. These amendments adopt, without change, the findings, the definition of "SLAPP determination," and the definition of "material support" set out in the Resolution Opposing the Use of Civil Litigation to Suppress the Protected Speech of Texas Citizens. That Resolution is the predicate. This instrument is the permanent architecture. Read together they build the Convention record before the amendment arrives.

Drafting convention: New language is underlined. Deleted language is ~~struck through~~. Unchanged language is shown in plain type for context.

AMENDMENT 1. Rule No. 8(n), Elected Party Officials' Misconduct in Office

Purpose. Rule No. 8(n)(6) in its current form already reaches a Precinct Chairman, County Chairman, or SREC member who knowingly and materially promotes, advocates, or finances activity in direct and material conflict with or otherwise eroding the Legislative Priorities or Principles. The companion Resolution states the body's position that SLAPP conduct falls within it. This amendment removes the need for any Officials Committee to construe anything.

Rule No. 8(n) is amended by adding Subdivision (7) to read as follows:

(7) Filing a legal action as to which a SLAPP determination has been entered, or knowingly and materially financing, indemnifying, or reimbursing such an action. For purposes of this Subdivision, "SLAPP determination" means, as to any legal action: (i) a dismissal under Section 27.005 of the Texas Civil Practice and Remedies Code; (ii) an award of sanctions under Rule 13 of the Texas Rules of Civil Procedure or under Chapter 10 of the Texas Civil Practice and Remedies Code in connection with such an action; or (iii) a nonsuit or voluntary dismissal taken after a motion under Chapter 27 of that Code has been filed, except where a court has denied that motion and the denial stands.

Note. *The existing procedural protections of Rule No. 8(n) apply unchanged: seven days notice, an opportunity to present a defense, a written complaint signed by at least sixty percent of the voting membership of the relevant executive committee, and referral to the SREC Officials Committee. Nothing in this amendment shortens or waives any of them.*

AMENDMENT 2. Rule No. 44, Censure Process and Penalties

Purpose. Rule No. 44(a) requires three or more actions taken during the Officeholder's current term in opposition to the core principles or the Legislative Priorities. A single SLAPP determination is one action, not three. This amendment makes SLAPP conduct qualifying conduct and provides that one determination satisfies the numerical threshold. Rule No. 44(a) as amended in 2026 provides that a censure resolution failing any criterion is subject to challenge by a point of order, which makes precision here unusually consequential.

Rule No. 44(a) is amended by adding the following after the sentence ending "as described in Rule No. 34(c)":

A legal action filed by the Officeholder as to which a SLAPP determination has been entered, or the knowing and material financing, indemnification, or reimbursement by the Officeholder of such an action, constitutes an action taken in opposition to the core principles of the Republican Party of Texas, and a single such determination satisfies the requirement of three (3) or more actions under this Subsection. "SLAPP determination" has the meaning assigned by Rule No. 8(n)(7).

***Flag for the Rules Committee.** This alters the three-action architecture the 2022 Convention adopted as a deliberate compromise and it will be contested on that ground. The argument for it is that the threshold exists to distinguish a pattern from an isolated policy disagreement, and that a judicially determined abuse of the courts against a citizen is not a policy disagreement. Drafted as written. The Committee decides.*

Two limits the Committee should understand before voting. First, Rule No. 44(d) defines "Officeholder" to mean a holder of public office, so this amendment reaches only officeholders. It does not reach a candidate who holds no office, an appointed executive of a tax-funded entity, a private plaintiff, or a corporation. Amendment 3 exists because of that limit. Second, Rule No. 44(d) provides that any penalty imposed expires on the day following the Primary Runoff Election in which the Officeholder would be up for reelection, so the twenty-four months stated in Penalty 3 is a ceiling rather than a term.

AMENDMENT 3. New Rule No. 45, Ineligibility of Persons Who Abuse the Courts to Suppress Protected Speech

Purpose. This is the permanent bar. It is the reason this instrument exists. Rule No. 45 reads in full, Is intentionally left blank. That has been confirmed against the 2026 Rules text at page 42, which makes this the correct placement and requires no renumbering of any other Rule.

Rule No. 45, presently reserved, is amended to read as follows:

Rule No. 45 – Ineligibility of Persons Who Abuse the Courts to Suppress Protected Speech

- a. Definitions. "SLAPP determination" has the meaning assigned by Rule No. 8(n)(7). "Material support" means knowingly and materially financing, indemnifying, reimbursing, or providing political endorsement, campaign support, or Party resources to a person as to whom a SLAPP determination has been entered, with knowledge of that determination.
- b. Ineligibility. A person as to whom a SLAPP determination has been entered is ineligible to serve as a Precinct Chairman, County Chairman, District or County Executive Committee member, member of the State Republican Executive Committee, State Chairman, State Vice Chairman, National Committeeman, National Committeewoman, delegate or alternate to any convention of this Party, or member of any convention committee.
- c. Party support. No funds, endorsement, staff, voter data, mailing list, exhibit or booth space, speaking slot, or other voluntary support of the Republican Party of Texas or of any County or District Executive Committee shall be extended to such a person, or to any person or entity providing material support.
- d. Duration. Ineligibility under Subsection (b) and the withholding required by Subsection (c) are permanent, except as provided by Subsection (e).
- e. Reversal and relief. Ineligibility does not attach, or if attached is removed, upon presentation of a final order of a court of competent jurisdiction vacating, reversing, or setting aside the order that constituted the SLAPP determination. Where an appeal of that order is pending, ineligibility is suspended until the appeal is finally resolved. A person whose ineligibility has been removed under this Subsection is restored to full standing and the corresponding entry shall be removed from any register maintained by the Party.
- f. Notice and opportunity to be heard. Before ineligibility is applied to any person, the State Chairman shall give that person written notice by certified mail, together with the cause number and court of the action relied upon, and not less than fourteen (14) days in which to present a written response and to appear before the SREC Officials Committee. The Officials Committee shall determine only whether a SLAPP determination as defined herein has been entered and remains in effect. It shall make no finding concerning the merits of any action.
- g. Limitation. Nothing in this Rule denies any person a place on the ballot of any primary election, affects any qualification for public office established by the Texas Election Code, or restricts the ministerial review of an application for a place on the ballot. This Rule

governs the internal affairs of the Republican Party of Texas and the disposition of its own voluntary support only.

h. Prospective application. This Rule applies only to a SLAPP determination entered on or after the effective date of this Rule.

Note on Subsection (g). *This limitation is deliberate and it is what makes the Rule durable. A party rule that purports to bar a person from the primary ballot collides with the candidate eligibility provisions of the Election Code and with the ministerial character of a chairman's review, and it invites an injunction that would take the whole Rule down with it. A rule governing who may hold Party office and who receives the Party's own money, endorsement, and association is core associational right and is not subject to that attack. The objective is not narrowed. Only the mechanism is chosen to survive.*

Note on Subsection (e). *Suspension during a pending appeal is not softness. It is the provision that defeats the argument that this Party punishes people before the courts have finished with them, and it costs nothing, because the register entry and the withholding resume the moment the appeal fails.*

AMENDMENT 4. Rule No. 43, Candidate Platform and Legislative Priorities Review

Purpose. This is the provision with the widest practical reach. It touches every candidate who files with this Party, including persons no censure rule can reach, it creates no Election Code conflict, it denies no one a place on any ballot, and there is nothing in it for a court to enjoin. Rule No. 43 already requires every candidate to file a completed review at the time of filing and requires the filing entity to publish the responses within ten days of the close of candidate filing. This amendment adds one question to a form that already exists and rides an existing publication duty.

Rule No. 43 is amended by adding the following after the requirement that each candidate indicate at least ten line items from the Platform that the candidate strongly supports:

The County or State Chairman shall further request, and each candidate shall disclose in writing, whether any legal action filed by the candidate, or filed by an entity of which the candidate was at the time an officer or director, has been the subject of a SLAPP determination within the six (6) years preceding the date of filing, and if so, the cause number, court, date, and disposition of each. "SLAPP determination" has the meaning assigned by Rule No. 8(n)(7). The candidate's response shall be collected, recorded, and published by the filing entity with the remainder of the candidate's responses under this Rule. If a candidate fails to timely return a completed response to this item, the filing entity shall publish that fact.

Note. *Disclosure is not a penalty. It imposes no consequence, bars no one, and requires no adjudication by any Party body. It places a verifiable public record in front of every primary voter before the vote, which is the remedy most consistent with Principle 5 of the Preamble, that all liberties, freedoms, and rights require personal responsibility and accountability.*

This amendment follows the Convention's own direction of travel. The 2026 Convention amended Rule No. 43 to make publication of candidate responses mandatory within ten days of the close of filing, to strike the filing entity's discretion to exclude a response from its website, and to require publication of a notice where a candidate fails to respond at all. It simultaneously amended Rule No. 44(e) to strike a sworn-affidavit and ballot-rejection mechanism and replace it with a mandatory public register of censures. This Party chose publication over exclusion twice in one Convention. This amendment adds one line to a form that already exists and rides a publication duty the Convention has just strengthened.

LIMIT THE COMMITTEE MUST WEIGH. Rule No. 43 as amended in 2026 shall not apply to judicial and law enforcement candidates. Law enforcement is a new exclusion. A disclosure provision placed in Rule No. 43 therefore does not reach candidates for sheriff, constable, or district attorney. If the Committee wants those offices covered, the disclosure must be placed in a free-standing Rule rather than in Rule No. 43, or Rule No. 43 must be further amended to carve the disclosure item out of the exclusion. This is a substantive choice and it is flagged rather than resolved.

MOTION AND ADOPTION

The motion before the State Republican Executive Committee is:

That the State Republican Executive Committee, acting under Rule No. 1(a)(1), proposes Amendments 1 through 4 as set out in full above, and directs the Secretary to transmit the full text to the Permanent Committee on Rules and Order of Business of the 2028 State Convention, and to preserve this notice and the date of its delivery to each member as part of the permanent record of this body.

Vote required: Majority, Rule No. 1(a)(1).

Roll call: Required for final adoption of any amendment to a Rule of the Republican Party of Texas under Rule No. 7(b)(7), unless waived by unanimous consent. The Secretary shall publish the roll call on the public portion of the Party website within ten (10) business days of adjournment.

Notice certification: The undersigned certifies that the full text of the proposed amendments set out above was delivered in writing to each member of the State Republican Executive Committee on [DATE], being not less than seven (7) days prior to the meeting at which the proposal was considered, computed in accordance with Rule No. 1(g).

Vote: FOR [##] AGAINST [##] ABSTAIN [##] Members present [##] Total membership [##]

[NAME], Chairman

[NAME], Secretary

PRE-NOTICE CHECKLIST

- ☐ Confirm the 2026 Rules Committee redlines to Rules 43 and 44 were adopted as shown, against pages 40 to 42 of the posted Rules As Amended 2026-06-12. Amendments 2 and 4 are drafted against the redlined text.
- ☐ Decide whether the Rule No. 43 disclosure should reach judicial and law enforcement candidates. If yes, Amendment 4 must move to a free-standing Rule.
- ☐ Fix the date of the next quarterly SREC meeting.
- ☐ Count back seven days under Rule No. 1(g), excluding the first day and including the last, and extending past any Saturday, Sunday, or legal holiday.
- ☐ Confirm the mechanism by which written notice reaches each member, and obtain the current member address list from the Secretary.
- ☐ Deliver the full text, not a summary. Rule No. 1(a)(1) requires the full text proposed.
- ☐ Retain proof of delivery and the delivery date. This is the first thing a challenger will attack.
- ☐ Confirm the quorum for non-statutory business under the current SREC Bylaws (Rule No. 9(a)).
- ☐ Clear all yellow highlighted fields before delivery.

Claude is not an attorney and does not provide legal advice.