

RESOLUTION [NUMBER, IF ASSIGNED]

## Resolution Opposing the Use of Civil Litigation to Suppress the Protected Speech of Texas Citizens

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**Submitted to:** The State Republican Executive Committee of the Republican Party of Texas

**Author:** [FULL NAME], [TITLE: SREC Member / County Chairman / Precinct Chair / Party Member], Senate District [SD ##]

**Co-sponsors:** [NAMES, OPTIONAL]

**Date submitted:** [MONTH DAY, YEAR]    **Meeting date:** September 18, 2026

**Authority to place before the body:** Adopted under Rule No. 12. Submitted to the SREC Resolutions Committee under SREC Bylaws Article VII, Section 8(F)(4), by [AN SREC MEMBER / A COUNTY CHAIRMAN / PASSAGE AT A PROPERLY CALLED CEC MEETING]. Roll call vote required for final adoption under Rule No. 7(b)(7) unless waived by unanimous consent.

**ROUTING REQUIREMENT, READ BEFORE FILING.** SREC Bylaws Article VII, Section 8(F)(3) provides that the SREC may not consider a policy position resolution which has not been previously considered by the Resolutions Committee, or which the Resolutions Committee considered and failed to adopt. This Resolution must therefore clear the Resolutions Committee before it reaches the floor. Committee notice under Article VII, Section 3 is five days. If the committee cannot be convened in time, the Bylaw may be suspended by a majority vote of Members present and voting, or a minority report may be filed with the committee chairman before the meeting convenes by no fewer than twenty percent of the Resolutions Committee present and voting where the resolution failed of adoption. Do not arrive at the meeting without one of these three paths secured.

### PREAMBLE

**WHEREAS**, the 2026 Republican Party of Texas Platform (Plank 12, The Rights of a Sovereign People) declares that government "must be restrained from intruding into the freedoms of its citizens, to include due process," and provides that "Texas shall keep the Texas Citizens Participation Act (TCPA) intact and preserve its broad scope and essential protections for 1st Amendment Rights"; **and**

**WHEREAS**, this Resolution rests upon Principle 3 of the Preamble to that Platform, "Preserving individual, Texan, and American sovereignty and freedom," upon Principle 5, "The concept that all liberties, freedoms, and rights require personal responsibility and accountability," and upon Principle 8, "The right of all people to defend themselves and their property is inalienable"; **and**

**WHEREAS**, Plank 71 of that Platform requires all government entities, quasi-governmental entities, and entities receiving or administering taxpayer funds to post their spending,

contracts, audits, and official actions in downloadable and searchable format, for the express purpose of permitting taxpayers to review them; **and**

**WHEREAS**, during the year 2026 Texas citizens and officeholders have been sued in their individual capacities over public statements concerning the conduct of taxpayer-supported entities and the expenditure of public money, including a sitting member of the Texas House of Representatives sued during the early voting period of a contested primary election, and a county Republican Party chairman sued together with a private citizen who had done nothing more than comment publicly upon a matter of public concern; **and**

**WHEREAS**, House Bill 2966, 89th Legislature, Regular Session, which strengthens the recovery of court costs and reasonable attorney fees under Section 27.009(a) of the Civil Practice and Remedies Code, passed to engrossment in the Texas House of Representatives by a vote of 135 to 0 (Record Vote 2347, May 13, 2025) and passed on third reading by a vote of 142 to 0 (Record Vote 2439, May 14, 2025), was referred to the Senate Committee on State Affairs on May 15, 2025, and died in that committee without a vote, as did its companion, Senate Bill 1516, referred to the same committee on March 6, 2025, while House Bill 2988, which would have narrowed the recovery of costs and fees under Chapter 27, was left pending in committee on April 23, 2025; **and**

**WHEREAS**, the stated purpose of Chapter 27 at Section 27.002 is to safeguard the constitutional rights of persons to petition, speak freely, and associate freely to the maximum extent permitted by law, yet Section 27.009 awards costs and fees only upon a dismissal actually obtained under the statute, affords no remedy whatever to the citizen who retracts, deletes, apologizes, or resigns under threat of suit before any motion is heard, and does not prevent a plaintiff from filing a notice of nonsuit after a motion under Section 27.003 has been filed, leaving the citizen who properly and timely invoked the statute with no ruling, no recovery, and the entire cost of the defense and of the appeal; **and**

**WHEREAS**, no provision of Texas law prohibits a political subdivision, economic development corporation, school-affiliated foundation, or other entity receiving or administering taxpayer funds from paying, advancing, indemnifying, or reimbursing the personal legal expenses of an officer, director, or employee who sues a citizen over speech concerning the conduct or expenditures of that entity; **and**

**WHEREAS**, this Resolution advances the Legislative Priority adopted at the 2026 State Convention entitled "Ban Taxpayer-Funded Lobbying," and further advances the Legislative Priority entitled "Secure Texas Elections," insofar as an action brought to restrain the speech of a candidate during an election period is an attack upon the election itself; **and**

**WHEREAS**, Rule No. 8(m) of the Rules of the Republican Party of Texas already provides for mediation in lieu of litigation, and Rule No. 8(n)(6) already reaches any Precinct Chairman, County Chairman, or member of the State Republican Executive Committee who knowingly and materially promotes, advocates, finances, or derives benefit from any activity, enterprise, or

organization in direct and material conflict with or otherwise eroding the Legislative Priorities or Principles of the Republican Party of Texas; **and**

**WHEREAS**, this Party has already resolved for itself the questions this Resolution presents, in that Rule No. 44(b) requires the Republican Party of Texas to indemnify and provide counsel to any County Chairman or County Executive Committee member who is sued for applying that Rule, and Rule No. 44(e), as amended by the 2026 State Convention, strikes a requirement that candidates swear under penalty of perjury that they have not been censured and that chairmen refuse applications lacking that statement, and replaces it with a requirement that the state party publish on its website a list of all individuals censured in the preceding twenty-four months, by which this Party has declared both that no Republican should bear the cost of a lawsuit brought against him for lawful participation in Party affairs, and that publication of the record, rather than exclusion from the ballot, is its instrument of accountability; **and**

**WHEREAS**, Scripture instructs, "Rob not the poor, because he is poor: neither oppress the afflicted in the gate" (Proverbs 22:22), the gate being the place where judgment was rendered; **and**

**WHEREAS**, absent action, Texans will continue to be silenced by the cost of defense rather than by any judgment upon the merits, and the officers, members, and candidates of this Party will continue to face personal financial ruin for reading the public record aloud; **now**

## **OPERATIVE PROVISIONS**

**THEREFORE, BE IT RESOLVED** that the State Republican Executive Committee **finds** that the use of civil litigation to suppress or to penalize a citizen's exercise of the rights of free speech, petition, or association concerning the conduct of government or the expenditure of public funds is conduct in direct and material conflict with the Principles of the Republican Party of Texas as set forth in the Preamble to its Platform, and with Plank 12 of that Platform; **and**

**BE IT FURTHER RESOLVED** that for all purposes of this Resolution, "**SLAPP determination**" means, as to any legal action: (a) a dismissal under Section 27.005 of the Texas Civil Practice and Remedies Code; (b) 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 (c) a nonsuit or voluntary dismissal taken after a motion under Chapter 27 has been filed, except where a court has denied that motion and the denial stands; **and**

**BE IT FURTHER RESOLVED** that for all purposes of this Resolution, "**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; **and**

**BE IT FURTHER RESOLVED** that no funds, endorsement, staff, voter data, mailing list, exhibit or booth space under Rule No. 37, speaking slot, or other voluntary support of the Republican

Party of Texas shall be extended to any person as to whom a SLAPP determination has been entered, for a period of twenty-four (24) months from the date of entry; **and**

**BE IT FURTHER RESOLVED** that the withholding provided in the preceding clause applies in full and for the same period to any person or entity that provides material support as defined herein; **and**

**BE IT FURTHER RESOLVED** that nothing in the two preceding clauses directs, authorizes, or requires the use of Party funds or resources, directly or indirectly, to influence any intraparty contest; that as to any person who is a candidate in a Republican Primary Election those clauses operate only to the extent permitted by Rule No. 44 and by the Bylaws of the State Republican Executive Committee; and that nothing herein shall be construed to prohibit the use of Party resources to encourage voting for Republican Party nominees or officeholders collectively; **and**

**BE IT FURTHER RESOLVED** that the State Republican Executive Committee calls the attention of every County Executive Committee and every District Executive Committee in this State to Rule No. 8(n)(6), and states its position that the filing of a legal action for which a SLAPP determination has been entered, or the knowing and material financing of such an action, is conduct within that subsection and is grounds for a finding of dereliction and for removal from Party office; **and**

**BE IT FURTHER RESOLVED** that the State Chairman is directed to establish and maintain upon the public portion of the website of the Republican Party of Texas a register of SLAPP determinations reported to the Party, in the manner already required of the Party by Rule No. 44(e), each entry to consist of the cause number, the court, the date, and the disposition, and nothing further; **and**

**BE IT FURTHER RESOLVED** that the Legislature is specifically requested to enact the statutory text set out in Annex A to this Resolution; **and**

**BE IT FURTHER RESOLVED** that the State Republican Executive Committee **demands** that the 90th Texas Legislature:

- enact the amendment to Section 27.009(a) of the Civil Practice and Remedies Code passed by the Texas House of Representatives by a vote of 142 to 0 in House Bill 2966, 89th Legislature, Regular Session;
- provide that a nonsuit or voluntary dismissal taken after a motion under Section 27.003 has been filed does not moot that motion, that the court shall rule upon it, and that an award of costs and fees is mandatory where the movant would have prevailed;
- make an award of sanctions mandatory, and not discretionary, upon a dismissal under Section 27.005;
- grant expedited treatment to any legal action brought against a candidate or officeholder and filed within ninety (90) days of an election in which that person's name appears on the ballot;

- fix venue in the county of residence of the defendant citizen, consistent with Plank 82 of the 2026 Platform;
- prohibit any political subdivision, economic development corporation, or other entity receiving or administering taxpayer funds from financing, indemnifying, advancing, or reimbursing the legal expenses of any such action; and
- reject any further narrowing of the interlocutory appeal secured by Section 27.008; and

**BE IT FURTHER RESOLVED** that the State Chairman is directed to make the mediation of the SREC Officials Committee available under Rule No. 8(m) in any dispute of the character addressed by this Resolution; **and**

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be transmitted to the Chairman of the Republican Party of Texas in accordance with Rule No. 32 of the Rules of the Republican Party of Texas, and to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Attorney General, the Chairman and members of the Senate Committee on State Affairs, and the Chairman of the House Committee on Judiciary and Civil Jurisprudence; **and**

#### Protective clauses, do not delete

**BE IT FURTHER RESOLVED** that this Resolution is adopted in the exercise of the rights of free speech, petition, and association secured by the First Amendment to the Constitution of the United States and by Article I, Sections 8 and 27 of the Texas Constitution, and constitutes an exercise of those rights within the meaning of Chapter 27 of the Texas Civil Practice and Remedies Code; that all factual statements herein are drawn from the public records identified in this Resolution; and that all statements of characterization, conclusion, or inference are the stated opinion of this body; **and**

**BE IT FURTHER RESOLVED** that if any clause, provision, or portion of this Resolution is held invalid, unenforceable, or is stricken, the remainder shall not be affected and shall remain in full force and effect; **and**

**BE IT FURTHER RESOLVED** that this Resolution names no person, applies prospectively only, and makes no finding or statement whatever concerning the merits of any pending legal action.

#### ADOPTION

Notice of this meeting was given on **[DATE]** in accordance with Article V, Section 2 of the Bylaws of the State Republican Executive Committee, not later than twelve days prior to this meeting. A quorum consisting of a majority of the Members, in person or represented by proxy, was present, as required by Article V, Section 4 of those Bylaws and by Rule No. 9(a). This Resolution was previously considered by the Resolutions Committee in accordance with Article VII, Section 8(F)(3), or that Bylaw was suspended as recorded in the minutes. This Resolution was considered and adopted as follows:

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

**Method:** [ROLL CALL / VOICE / DIVISION] *Roll call is required for final adoption 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.*

**Passed by the State Republican Executive Committee, September 18, 2026.**

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[NAME], Chairman

[NAME], Secretary

*Attesting the signature of the Chairman*

## ANNEX A

### PROPOSED STATUTORY TEXT

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**Subject statutes:** Texas Civil Practice and Remedies Code, Chapter 27. Texas Local Government Code, Chapter 180.

**Drafting convention:** New language is underlined. Deleted language is ~~struck through~~.

**Source of current text.** *Texas Civil Practice and Remedies Code Section 27.009, Damages and Costs, as amended by House Bill 2730, 86th Legislature, Regular Session (2019), effective September 1, 2019, and current as of January 1, 2026. Subsections (b) and (c) are reproduced below unchanged, for context. Neither is amended by this Annex.*

#### SECTION 1. Fee and sanction recovery

Section 27.009(a), Civil Practice and Remedies Code, is amended to read as follows:

Sec. 27.009. DAMAGES AND COSTS. (a) Except as provided by Subsection (c), if the court orders dismissal of a legal action under this chapter, the court:

- (1) shall award to the moving party court costs and reasonable attorney's fees ~~incurred in~~ defending against the legal action; and
- (2) ~~may~~ shall award to the moving party sanctions against the party who brought the legal action as the court determines sufficient to deter the party who brought the legal action from bringing similar actions described in this chapter.
- (b) If the court finds that a motion to dismiss filed under this chapter is frivolous or solely intended to delay, the court may award court costs and reasonable attorney's fees to the responding party. [unchanged]
- (c) If the court orders dismissal of a compulsory counterclaim under this chapter, the court may award to the moving party reasonable attorney's fees incurred in defending against the counterclaim if the court finds that the counterclaim is frivolous or solely intended for delay. [unchanged]

**Drafting note.** *The deletion in Subdivision (a)(1) is the change passed by the Texas House 142 to 0 in HB 2966, 89R. It removes the words "incurred in," which permits recovery where counsel served without charge or on contingency. The change in Subdivision (a)(2) converts a permissive sanction to a mandatory one. A sanction a court is free to decline is a sanction that is routinely declined. Note that Subsection (b) already runs the other way: a movant who files a frivolous or dilatory motion to dismiss can be made to pay the responding party's fees. The statute is not a one-way ratchet before this amendment and it is not one after.*

## SECTION 2. Effect of nonsuit

Chapter 27, Civil Practice and Remedies Code, is amended by adding Section 27.0095 to read as follows:

Sec. 27.0095. EFFECT OF NONSUIT OR VOLUNTARY DISMISSAL. (a) The filing of a nonsuit, a notice of nonsuit, or a voluntary dismissal by a party after a motion to dismiss has been filed under Section 27.003 does not deprive the court of jurisdiction over the motion and does not render the motion moot.

(b) The court shall rule on the motion notwithstanding the nonsuit or voluntary dismissal.

(c) If the court determines that the moving party would have been entitled to dismissal under Section 27.005, the court shall award the moving party court costs, reasonable attorney's fees, and other expenses, and shall award sanctions, to the same extent as if the court had ordered dismissal under this chapter.

***Drafting note.** This is the provision that closes the escape hatch. Under current practice a plaintiff may inflict the entire cost of a defense, observe that a motion to dismiss has been filed, nonsuit, and walk away owing nothing. The citizen who correctly invoked the statute is left worse off than if he had never invoked it. This section is the single most consequential change in the Annex.*

## SECTION 3. Actions filed during an election period

Chapter 27, Civil Practice and Remedies Code, is amended by adding Section 27.0096 to read as follows:

Sec. 27.0096. EXPEDITED TREATMENT; ELECTION PERIOD. (a) In this section, "election period" means the period beginning on the 90th day before the date of an election and ending on the date of that election.

(b) This section applies to a legal action filed during an election period against a person whose name appears on the ballot in that election, or against a person who has publicly announced candidacy for an office to be filled at that election.

(c) A hearing on a motion to dismiss under Section 27.003 in an action to which this section applies shall be set not later than the 10th day after the date the motion is filed, and the court shall rule on the motion not later than the 10th day after the date of the hearing.

(d) A court may not grant injunctive relief restraining the speech of a person described by Subsection (b) during an election period except after notice and hearing and upon a finding, by clear and specific evidence, that the speech restrained is not protected by the First Amendment to the United States Constitution or by Article I, Section 8, of the Texas Constitution.

**Drafting note.** Subsection (d) addresses the temporary restraining order sought against a candidate during early voting. A gag order that lasts only until the polls close has already accomplished everything the plaintiff wanted. Ordinary appellate timelines are useless against it.

#### SECTION 4. Venue

Chapter 27, Civil Practice and Remedies Code, is amended by adding Section 27.0097 to read as follows:

Sec. 27.0097. VENUE. Notwithstanding any other law, a legal action that is based on or in response to a party's exercise of the right of free speech, right to petition, or right of association concerning the conduct of a governmental entity or the expenditure of public money shall be brought in the county of residence of the defendant. This section may not be waived by contract or by prior agreement.

**Drafting note.** Consistent with Plank 82 of the 2026 Platform. A citizen should not be hauled to the county where the entity he criticized conducts its operations and selects its friends.

#### SECTION 5. Prohibition on public financing of actions against citizens

Chapter 180, Local Government Code, is amended by adding Section 180.010 to read as follows:

Sec. 180.010. PROHIBITION ON PUBLIC FINANCING OF CERTAIN LEGAL ACTIONS. (a) In this section, "covered entity" means a political subdivision, an economic development corporation created under Chapter 501, 504, or 505, a local government corporation, a nonprofit corporation that receives or administers public money or whose governing body is selected in whole or in substantial part by a political subdivision or its governing body, and any officer, director, employee, or agent of such an entity.

(b) A covered entity may not pay, advance, indemnify, reimburse, or provide any thing of value toward the legal expenses of a legal action brought against a person that is based on or in response to that person's communication concerning the conduct, governance, or expenditures of the covered entity.

(c) A person aggrieved by a violation of this section may bring an action for injunctive relief, restitution to the covered entity, court costs, and reasonable attorney's fees. Venue lies in the county of residence of the plaintiff.

(d) The attorney general may bring an action to enforce this section.

(e) Money expended in violation of this section is recoverable from the officer or director who authorized the expenditure, individually.

**Drafting note.** This is the money prong and it is why the Resolution anchors to the Legislative Priority "Ban Taxpayer-Funded Lobbying." Subsection (e) is the operative deterrent. An officer spending someone else's money on a personal grievance is deterred only by personal exposure. Subsection (a) is drafted broadly on purpose, because the pass-

*through nonprofit is the standard method by which a taxing entity reaches a citizen without appearing on the pleadings.*

## **SECTION 6. Applicability**

The changes in law made by this Act apply only to a legal action filed on or after the effective date of this Act. A legal action filed before that date is governed by the law in effect on the date the action was filed, and that law is continued in effect for that purpose. Article I, Section 16, of the Texas Constitution bars retroactive laws, and this Act operates prospectively only.

## **SECTION 7. Severability**

If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

## **SECTION 8. Effective date**

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2027.

## **Mandatory-language flags**

Per Operating Rule 9, the following provisions are drafted mandatory notwithstanding identified exposure. Nothing has been softened. The author decides whether to proceed.

**Flag 1, SECTION 1(a)(2), mandatory sanctions.** Converting "may" to "shall" removes judicial discretion over an amount the statute does not cap. A court may respond by setting nominal sanctions, or a reviewing court may read the provision as punitive. Consider whether a floor is preferable to a pure mandate. Drafted mandatory as written.

**Flag 2, SECTION 3(c), ten-day deadlines.** Rural districts with a single sitting judge will resist this as unworkable, and the Office of Court Administration may submit a fiscal note. There is no funding source attached, which invites the unfunded-mandate objection under Plank 22. The counterargument is that the burden falls on courts already required to rule within 30 days of hearing under Section 27.008. Drafted mandatory as written.

**Flag 3, SECTION 5(e), individual liability.** Personal liability for an officer who authorized an expenditure will draw opposition from municipal and school associations and may face an official-immunity challenge. It is also the only provision in the Annex that actually changes behavior before a suit is filed. Drafted mandatory as written.

**Flag 4, SECTION 5(a), breadth of "covered entity."** The definition reaches private nonprofits whose boards are substantially selected by a political subdivision. Legitimate charitable foundations will object that they are swept in. Sweep C overbreadth review recommends the author consider limiting Subsection (b) to entities that received public money within the preceding 24 months. Drafted broad as written.



## ANNEX B

### ANTICIPATED OBJECTIONS AND RESPONSES

*For the floor sponsor. Ordered by likelihood of being raised.*

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**Objection 1.** *"Filing a lawsuit is itself petitioning the government. It is protected by the First Amendment. This Resolution punishes people for going to court, and it makes us the party of lawfare."*

**Response.** This is the strongest objection and the Resolution was built to answer it. Nothing in this Resolution attaches any consequence to the filing of a lawsuit. Consequences attach only upon a SLAPP determination, which by definition requires an act of a Texas court: a dismissal under Section 27.005, an award of sanctions under Rule 13 or Chapter 10, or a nonsuit taken after a Chapter 27 motion has been filed. The Party does not decide who abused the courts. A judge does. Note further the express exception: where a court has denied the Chapter 27 motion and that denial stands, there is no determination and no consequence, because this Party does not label as a SLAPP an action a court has declined to dismiss, and does not get ahead of a pending appeal. Under the Noerr-Pennington line, petitioning is immunized subject to the sham exception. A judicial finding under Chapter 27 is the closest thing Texas law provides to a formal finding of sham.

**Objection 2.** *"The SREC has no authority to do this. Only a State Convention can change the Rules."*

**Response.** Correct, and this Resolution changes no Rule. Rule No. 1(b) reserves amendment to the State Convention, and nothing here purports to amend anything. Every operative provision rests on authority the SREC already holds: Rule No. 12 authorizes any convention to express its sense by resolution; the disposition of Party funds, endorsements, staff, data, and booth space is the Party's own associational choice; Rule No. 37 vests Exhibition Hall approval in the Officials Committee; and directing the State Chairman as to Party publications is internal housekeeping. The clause addressing Rule No. 8(n)(6) states the body's interpretation of an existing Rule and directs subordinate bodies' attention to it. It creates no new ground of dereliction. The permanent provisions travel separately as a proposed Rule amendment under Rule No. 1(a)(1).

**Objection 3.** *"This exposes the Party and our county parties to a defamation suit."*

**Response.** The Resolution names no person, no entity, no case, no court, and no cause number. It applies prospectively. Every factual statement in the preamble is a recorded legislative vote, a bill history, a statutory provision, a Platform plank, or a generalized description of a category of conduct. There is no statement of and concerning any identifiable person, which is an essential element of defamation. The Resolution carries an express petition and opinion clause invoking Chapter 27, which positions any suit against the Party for immediate dismissal with mandatory fees. Plank 12 of our own Platform commits this Party to preserving that statute.

**Objection 4.** *"This duplicates Plank 12. We already have a position on the TCPA."*

**Response.** Plank 12 states a position. It attaches no consequence to anyone, directs no Party resource, creates no public record, and asks the Legislature for nothing specific. This Resolution does four things Plank 12 does not: it defines the triggering conduct by reference to a judicial act; it withdraws every form of voluntary Party support from filers and from those who fund them; it establishes a permanent public register; and it transmits specific statutory text to the 90th Legislature. Under Rule No. 33(b)(5) the test at Convention is whether a submission adds something the Platform does not already say. This adds four things.

**Objection 5.** *"This is not germane to any of the eight Legislative Priorities."*

**Response.** It is germane to two. "Ban Taxpayer-Funded Lobbying" prohibits taxing entities, contractors, third parties, and non-elected public employees from deploying tax dollars against the citizens who fund them, which is precisely the conduct reached by SECTION 5 of Annex A. "Secure Texas Elections" is engaged because an action brought to restrain the speech of a candidate during an election period, or to obtain injunctive relief that expires only when the polls close, is an interference with the election itself. Rule No. 34(c) requires that a Legislative Priority resolution be germane and cite at least one Platform plank. This Resolution cites Planks 12, 22, 71, and 82.

**Objection 6.** *"The Legislature already handled this in 2019. The TCPA exists."*

**Response.** The 2019 amendments narrowed the statute; they did not close the gaps addressed here. In the 89th Regular Session the Texas House passed HB 2966 by 142 to 0 to strengthen fee recovery and the Senate Committee on State Affairs let it die without a vote, as it did the companion SB 1516. HB 2988, which would have weakened cost and fee recovery, was left pending in committee. Meanwhile Section 27.009 still pays nothing to the citizen who capitulates before a hearing, and a plaintiff may still nonsuit after a motion is filed and leave the movant with no ruling and no recovery. The statute exists. It did not work.

**Objection 7.** *"This is an unfunded mandate on counties, contrary to Plank 22."*

**Response.** The Resolution itself imposes no cost on any county. The expedited-hearing deadlines in SECTION 3 of Annex A fall on district courts already obligated under Section 27.008 to rule within thirty days of hearing, so the marginal burden is scheduling rather than resources, and Annex A carries a flag disclosing the objection candidly rather than hiding it. SECTION 5 saves public money by prohibiting its expenditure on personal litigation and provides for restitution to the entity.

**Objection 8.** *"Everyone knows which specific cases this is about. We should not be legislating from the grievance of one or two members."*

**Response.** The Resolution is drafted to stand entirely without reference to any particular matter, and it does. Strike the one preamble clause describing events of 2026 and every operative provision still functions on recorded votes, bill histories, and statutory text alone. The occasion for a rule is not the same thing as its reach. This Resolution applies prospectively to

any person, of any faction, who obtains a SLAPP determination against him, including persons allied with its author.

**Objection 9.** *"Twenty-four months is arbitrary. Either it matters or it does not."*

**Response.** Twenty-four months mirrors the duration the Party already chose for the most serious penalty available under Rule No. 44, which keeps this Resolution proportionate to the Party's own existing scale and avoids the argument that a resolution has imposed something harsher than a censure. The body may extend it. The author's view is that the register, which is permanent, carries more weight than the withholding period, which is not.

**Objection 10.** *"This violates our own Bylaws. Article IX, Section 3 says no RPT funds or resources may be used, directly or indirectly, to influence intraparty contests, subject only to Rule No. 44. You are trying to do by simple majority what Rule 44 Penalty 1 requires three-fifths of the full membership to do."*

**Response.** The objection is correctly stated and the Resolution is drafted to meet it. An express clause provides that nothing in the withholding provisions directs or authorizes the use of Party funds or resources to influence any intraparty contest, that as to any candidate in a Republican Primary those provisions operate only to the extent Rule No. 44 and the Bylaws permit, and that Party resources may still be used to encourage voting for Republican nominees collectively. That last construction is taken verbatim in substance from the closing clause of every Resolution of Concurrence this body adopted on October 11, 2025. What remains after the proviso is entirely outside the neutrality rule: endorsement in non-primary contexts, exhibit and booth space under Rule No. 37, speaking slots, staff, voter data, and the Party's own association. Note further that Article IX, Section 3 expressly provides that the neutrality restriction does not prohibit the RPT from publishing or promoting any resolution adopted by the SREC, which places the public register squarely inside the safe harbor.

**Objection 11.** *"This has not been through the Resolutions Committee, so under Article VII, Section 8(F)(3) it is not properly before us."*

**Response.** Correct as a matter of Bylaw, and the sponsor should confirm the route before the meeting rather than on the floor. Three paths exist. The Resolution may be submitted to the Resolutions Committee under Article VII, Section 8(F)(4) by an SREC Member, by a county chairman, or by passage at a properly called County Executive Committee meeting, with five days committee notice under Article VII, Section 3. Failing that, the Bylaw may be suspended by a majority vote of Members present and voting. Failing that, a minority report signed by no fewer than twenty percent of the Resolutions Committee present and voting may be filed with the committee chairman before the meeting convenes.

**Objection 12.** *"A public register is a scarlet letter. The Party has no business keeping a list of people."*

**Response.** The Party already keeps exactly such a list, by its own Rule. Rule No. 44(e), as amended by the 2026 State Convention, requires the state party to publish on its website every individual censured in the preceding twenty-four months, together with the penalty applied

and a copy of the censure resolution, and to note during filing any eligible candidate who has been censured. The Convention adopted that requirement while simultaneously striking the prior provision that would have required a sworn statement under penalty of perjury and the refusal of a ballot application. This Party's own most recent considered judgment is that publication of the record is the appropriate instrument and that exclusion is not. The register created by this Resolution is narrower still, since each entry contains only a cause number, a court, a date, and a disposition, with no characterization of any person and no copy of any accusation.

**Objection 13.** *"The matters behind this Resolution are pending and contested, and not every allegation in them concerns speech. We should not be taking sides in live litigation."*

**Response.** The Resolution takes no side in any pending matter and could not, because it attaches no consequence to anything until a court has acted. It names no party, cites no cause number, describes no allegation, and states expressly that it makes no finding whatever concerning the merits of any pending legal action. Whatever any petition alleges, whether it concerns speech or anything else, will be resolved by a Texas court and not by this body. That is the point of anchoring every consequence to a SLAPP determination rather than to a filing. If a court enters such a determination, the Resolution operates. If a court does not, it does not. Nothing in this Resolution depends on any pending matter coming out one way or the other, and every operative provision stands on recorded legislative votes, bill histories, and statutory text alone.

**Objection 14.** *"Why not simply censure these people under Rule 44?"*

**Response.** Rule No. 44 reaches only a Republican public Officeholder, and requires three or more actions taken during the Officeholder's current term. It does not reach an appointed executive of a tax-funded entity, a private plaintiff, a nonprofit corporation, or a first-time filer. Censure authority also sits with the County or District Executive Committee, not with this body, which confirms or denies penalties. This Resolution reaches conduct Rule No. 44 cannot, using authority this body actually holds, and the accompanying proposed amendment carries the remainder to the 2028 Rules Committee where it belongs.

## ANNEX C

### SOURCE AUTHORITIES

*Retained with the adopted Resolution as part of the permanent record. Not a floor document.*

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#### **1. Preamble clauses 1, 2, 3, and 8 (Platform planks, Principles, Priorities)**

2026 Republican Party of Texas Platform As Approved, Planks 12, 22, 71, 82; Preamble, Principles 1, 3, 5, 8. [texasgop.org/wp-content/uploads/2026/07/2026-Republican-Party-of-Texas-Platform-As-Approved.pdf](https://texasgop.org/wp-content/uploads/2026/07/2026-Republican-Party-of-Texas-Platform-As-Approved.pdf)

*Verified September 12, 2026. Quotations of Plank 12, Plank 71, Principle 3, Principle 5, and Principle 8 pulled verbatim from the current PDF.*

#### **2. Preamble clause 6 and Annex A, SECTION 1 (statutory purpose, fees, and costs)**

Tex. Civ. Prac. & Rem. Code Sections 27.002 and 27.009. Section 27.009, Damages and Costs, as amended by HB 2730, 86th Legislature, Regular Session (2019), effective September 1, 2019. Full text of Subsections (a), (b), and (c) confirmed current as of January 1, 2026.

*Verified September 12, 2026. Section 27.009 verified in full, including Subsections (b) and (c), against a published codification of the current statute. Annex A, SECTION 1 reproduces Subsection (a) verbatim. Subsections (b) and (c) are reproduced unchanged for context and are not amended.*

#### **3. Preamble clause 4, first matter (sitting member of the Texas House)**

District court, Chambers County, Texas. Cause No. 26DCV0142. Primary source: Defendant's Motion to Dismiss Pursuant to the Texas Citizens Participation Act, file-stamped February 19, 2026, District Clerk of Chambers County. Petition filed February 11, 2026. Temporary restraining order hearing set February 20, 2026. Primary election March 3, 2026. Notice of nonsuit filed by plaintiff thereafter. Motion to dismiss denied; no fee award; appeal filed in the Fourteenth Court of Appeals June 2, 2026.

*Verified September 12, 2026. VERIFIED from the file-stamped instrument, except that the judicial district number is reported inconsistently between the instrument caption and secondary reporting and has not been resolved. Party names are deliberately omitted from this Annex and from the Resolution; they are recoverable from the cause number.*

#### **4. Preamble clause 4, second matter (county chairman and private citizen)**

District court, 4th Judicial District of Rusk County, Texas. Cause No. 2026-413. Primary source: Plaintiff's Original Petition and Demand for Jury Trial, file-stamped August 28, 2026 at 3:54 p.m., Terri Pirtle Willard, District Clerk, Rusk County. Citation for personal service issued August 28, 2026. Plaintiff is the executive director of a Type B economic development corporation. Two defendants: a county party chairman and a private individual. Pleaded

causes of action are defamation, malice, intentional infliction of emotional distress, and invasion of privacy, together with a claim for use of name or likeness and a separately pleaded claim unrelated to the speech at issue. Monetary relief pleaded in excess of \$1,000,000. Venue pleaded under Section 15.002(a)(1). Exhibit A is a certified transcription of a 46-minute recording, certified August 21, 2026.

*Verified September 12, 2026. VERIFIED from the file-stamped petition and issued citation. SERVICE DATE NOT ESTABLISHED. The return of service in the copy supplied is blank and unexecuted. The sixty-day deadline under Section 27.003(b) runs from the date of service, not the date of filing, and cannot be calculated from this document. Obtain the executed return from the District Clerk. Party names, addresses, and the pleaded allegations are deliberately omitted from this Annex and from the Resolution.*

**5. Preamble clause 5 (HB 2966 and SB 1516)**

Texas Legislature Online, 89th Legislature Regular Session, bill histories for HB 2966 and SB 1516. Record Vote 2347 (May 13, 2025), passage to engrossment, 135 to 0. Record Vote 2439 (May 14, 2025), third reading, 142 to 0. Received in Senate May 14, 2025; read first time and referred to Committee on State Affairs May 15, 2025. SB 1516 referred to Committee on State Affairs March 6, 2025. Author: Rep. Morgan Meyer.

*Verified September 12, 2026. Vote counts and referral dates confirmed against the legislative history record.*

**6. Preamble clause 5 (HB 2988)**

Texas Legislature Online, 89th Legislature Regular Session, bill history for HB 2988. Left pending in committee April 23, 2025.

*Verified September 12, 2026. Confirmed against the legislative history record.*

**7. Preamble clause 6 (failure of existing law)**

Tex. Civ. Prac. & Rem. Code Sections 27.003, 27.005, 27.008, 27.009. Procedural history of Matter A, Item 3 above.

*Verified September 12, 2026. The proposition stated in clause 10 is a description of the procedural posture reflected in a public record, not a characterization of any party.*

**8. Preamble clause 7 (absence of prohibition on public financing)**

Tex. Local Gov't Code chs. 180, 501, 504, 505. Search of the Local Government Code, Government Code, and Education Code for any provision prohibiting indemnification or reimbursement of a personal defamation action brought by an officer or employee against a member of the public.

*Verified September 12, 2026. Negative finding. No such provision located. Re-run the search before transmittal to legislative staff.*

**9. Preamble clause 8 (Legislative Priorities)**

Legislative Priorities adopted by the 2026 State Convention, June 13, 2026, for the 90th Texas Legislature: "Ban Taxpayer-Funded Lobbying" and "Secure Texas Elections." [texasgop.org/priorities](https://texasgop.org/priorities).

*Verified September 12, 2026. Cited by name, not by number. The Convention does not number the 2026 to 2028 Priorities.*

#### **10. Preamble clause 9 (Party Rules)**

RPT General Rules As Amended 2026-06-12, Rule No. 8(m) and Rule No. 8(n)(6). Rule No. 7(b)(7), roll call. Rule No. 9(a), quorum. Rule No. 12, resolutions authorized. Rule No. 32, transmittal. Rule No. 37, Exhibition Hall.

*Verified September 12, 2026. Pulled verbatim from the current posted PDF, with one exception noted below.*

#### **11. Rule No. 44 references in Annex B**

Rule No. 44 text recovered verbatim from five Resolutions of Concurrence adopted by the State Republican Executive Committee on October 11, 2025 and published at [texasgop.org/official-documents-2](https://texasgop.org/official-documents-2), each of which quotes the Rule and all three penalties in full. Penalty 3 is a refusal to accept an application for a place on the ballot for twenty-four months. The censure threshold is a three-fifths vote of the full SREC membership after fourteen days notice.

*Verified September 12, 2026. VERIFIED IN PART. The recovered text is the Rule as it stood under the 2024 Rules, quoted inside instruments this body itself adopted. The 2026 State Convention amended the Rules on June 12, 2026 and Rule No. 44 may have changed. The posted 2026 PDF truncates at Rule No. 43 on automated retrieval. Obtain pages 40 to 42 of the printed Rules before any censure build relies on this text.*

#### **12. SREC Bylaws provisions recited in the routing note, the intraparty-contest proviso, and the adoption block**

SREC 2024 to 2026 Bylaws, adopted May 25, 2024, last amended December 7, 2024, with Standing Rules. [texasgop.org/wp-content/uploads/2025/03/SREC-2024-2026-Bylaws-Amended-2024-12-07-Standing-Rules-2024-12-07.pdf](https://texasgop.org/wp-content/uploads/2025/03/SREC-2024-2026-Bylaws-Amended-2024-12-07-Standing-Rules-2024-12-07.pdf). Article V, Section 2, twelve-day meeting notice. Article V, Section 4, quorum of a majority of Members in person or by proxy. Article VII, Section 3, five-day committee notice. Article VII, Section 8(F)(3) and (4), Resolutions Committee routing and submission. Article VIII, Section 1(D) and Article IX, Section 3, neutrality in intraparty contests and the publication safe harbor.

*Verified September 12, 2026. CURRENCY FLAG. These are the 2024 to 2026 Bylaws. RPT Rule No. 8(c) requires the SREC to adopt Bylaws for the biennium at its organizational meeting following the June 2026 Convention, so a 2026 to 2028 set likely exists. As of the verification date the Official Documents page links only the 2024 to 2026 version. Confirm the current Bylaws before filing.*

#### **14. Preamble clause 10 and Annex B, Objection 12 (Rule No. 44(b) and Rule No. 44(e))**

Pages 40 to 42 of the 2026 Permanent Committee Report, Reports of the Permanent Rules, Platform and Resolutions, and Legislative Priorities Committees, showing the Rules Committee redline of Rules 43, 43A, 44, 45, and 46.

convention.texasgop.org/wp-content/themes/hub-child/documents/convention-2026/2026-permanent-committee-report-full.pdf at pages 40 to 42, obtained as page images.

*Verified September 12, 2026. VERIFIED IN PART. Rule No. 44(b) appears in unredlined text except for the phrase "or County Executive Committee member," which is a proposed insertion. The Rule No. 44(e) publication requirement is a proposed insertion replacing a struck subsection. Confirm both against pages 40 to 42 of the posted RPT General Rules As Amended 2026-06-12 before the floor sponsor relies on either.*

#### **15. Preamble clause 11 (scriptural clause)**

Proverbs 22:22, Authorized (King James) Version.

*Verified September 12, 2026. Public domain.*

## PRE-FILING CHECKLIST

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- ☐ Confirm the SREC meeting date, time, and place, and that this item is on the posted agenda.
- ☐ Confirm the quorum requirement for non-statutory business under the current SREC Bylaws (Rule No. 9(a)) and that a quorum is expected.
- ☐ Secure the Resolutions Committee route under SREC Bylaws Article VII, Section 8(F)(3). Committee consideration, a suspension vote, or a minority report. Do this before the meeting, not on the floor.
- ☐ Confirm whether 2026 to 2028 SREC Bylaws have been adopted. Every Bylaws citation in this instrument is to the 2024 to 2026 set.
- ☐ Confirm the Rule No. 44(b) and 44(e) redlines were adopted, against pages 40 to 42 of the posted Rules As Amended 2026-06-12. Two preamble clauses and Annex B Objection 12 rest on them.
- ☐ Section 27.009 is verified in full as of January 1, 2026. Re-check only if the 90th Legislature amends Chapter 27 before transmittal.
- ☐ Obtain the EXECUTED return of service in the Rusk County matter. The petition is in hand and verified; the return supplied is blank. The sixty-day deadline under Section 27.003(b) runs from service, not filing, and cannot be calculated without it.
- ☐ Re-verify Plank numbers 12, 22, 71, and 82 against the 2026 Platform PDF on the morning of the meeting.
- ☐ Re-verify the names of the State Chairman and Vice Chairman before any transmittal clause names an officer.
- ☐ Request a roll call vote, or confirm unanimous consent to waive, under Rule No. 7(b)(7).
- ☐ Confirm the Secretary will publish the roll call within ten business days.
- ☐ Bring printed copies of the Resolution and of Annex B for the floor sponsor and for each committee member.
- ☐ Clear all yellow highlighted fields and delete this checklist before filing.

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*Claude is not an attorney and does not provide legal advice. No drafting method eliminates the possibility that a suit will be filed. The objective of this instrument is to make any such suit weak on the merits and fast to dispose of.*