

January 2, 2025

The Honorable Greg Abbott
Governor of Texas
1100 Congress Avenue
Austin, Texas 78701

We are appreciative of your efforts in governing our state and grateful that Texas has remained red.

We made progress in the 88th Legislature with HB900, yet schools throughout Texas are ignoring this law, and very harmful content remains on library shelves. You re-tweeted a video of me reading porn to Brownsville ISD, where my testimony was called “profane”. You said, “If a book cannot be read out loud at a school board meeting in Texas then there is no reason for Texas children in school to be able to read it.” Amen, Governor!!

One solution that the Republican Party of Texas has identified and included in its legislative priority “Stop Sexualizing Texas Kids” requires significant changes to Texas’ indecency laws. Currently, Chapter 43 of Texas Penal Code allows for pornographic content to be in schools and libraries designated for children because of several loopholes, including those in the definition of harmful materials and the affirmative defenses to displaying, distributing, or selling harmful materials in 43.24. Texas’ current definition of harmful materials allows pornography to be in a material as long as the theme as a whole does not meet prurient interests and as long as it has literary or artistic value. Texas allows for affirmative defenses in 43.24, allowing educators and librarians to display, distribute, or sell pornography to children for educational reasons. Just this year, Lovejoy ISD attorneys argued the district has a right to keep porn on their library shelves because of the affirmative defenses currently provided in the Texas Penal Code. **Texas must close these loopholes.**

It would also be helpful if you instructed Commissioner Morath to send out simple bullet points advising ISDs of what they are allowed to do to battle inappropriate content. ISDs do not understand that TASB is not a government agency and feel obligated to implement TASB’s misguided “suggestions” such as removing residents’ ability to challenge material if they have no students in the district, leaving harmful books on shelves during the duration of the book challenge process and waiting to audit their libraries until litigation concludes.

Each of the (number) supporters of this letter, from (number) Texas counties, is currently fighting to eliminate this filth in our communities. We are organizing and coordinating efforts to protect children within our school districts, cities, and counties, but legislative solutions that eliminate this material in every library in Texas are needed, as local policy is failing to address the problem. We also need legislative solutions to stop the sex trafficking of kids in Texas.

We respectfully request that you designate legislation to stop the sexualization of Texas children, including ridding schools of sexually explicit and pervasively vulgar materials, repealing the Affirmative Defenses, and stopping sex trafficking of kids as an Emergency Item of the Governor’s office so the legislature can immediately get to work to protect children. **The state has a compelling interest to intervene and protect Texas kids!**

Respectfully,

Bonnie N Wallace – Llano County

cc: Dan Patrick, Lieutenant Governor of Texas
Ken Paxton, Texas Attorney General
Incoming Texas 89th Legislature