



**PROTECT
FREE SPEECH
COALITION**

VOTE NO ON SB 896

- **CSSB 896 strikes at the core protections of the Texans Citizens Participation Act**
- **Weaponize courts to discriminate** - CSSB 896 invites courts to discriminate against or penalize voices they disagree with by providing avenues for them to deny motions to dismiss and force litigants to continue to expend valuable time and resources at the trial court level while the case is on appeal.
- **Citizen voices will be chilled** – Because CSSB 896 will exponentially increase the cost of litigation for SLAPP victims by forcing them to defend against meritless lawsuits in at least two different courts simultaneously, many will buckle under the weight of increased costs and voices will be chilled.
 - CSSB 896 would subject litigants to unnecessary and cost-prohibitive discovery in meritless cases that are dismissed on appeal but would be allowed to proceed at the trial court level until the appellate decision.
- **Contrary to tort reform and judicial economy** - CSSB 896 is contrary to tort reform and judicial economy because lawsuits that may ultimately be found to lack merit under the TCPA would clog the trial courts while appeals are simultaneously proceeding.
 - In every Texas Supreme Court case dealing with the timeliness of TCPA motions or whether an exemption has applied, the Court has *reversed* the trial court's improper denial of the TCPA motion, but it took 8 years for that final ruling. Under CSSB 896, litigants in those cases would have improperly gone to trial and likely taken additional appeals while the anti-slapp matter was being appealed to the Texas Supreme Court.
- **Insurance costs would rise** - Because the cost of litigation will increase substantially as a result of CSSB 896, so too will media liability insurance premiums. If the costs are perceived as too high, it could result in insurers pulling out of the market entirely.
- **CSSB 896 will multiple litigation by requiring additional appellate motion practice**
- **Legal research shows in the majority of TCPA cases involving rulings on timeliness, frivolousness findings, and applications of exemptions, trial court orders are vacated. Removing the stay of litigation while this determination is made would eviscerate the protections of the TCPA.**



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- ACLU of Texas
- Americans for Prosperity-Texas
- Better Business Bureau serving Texas
- Center for Biological Diversity
- Committee to Protect Journalists
- Common Cause
- Competitive Enterprise Institute
- Electronic Frontier Foundation
- First Amendment Coalition
- Foundation for Individual Rights and Expression (FIRE)
- Freedom of Information Foundation of Texas
- Freedom of the Press Foundation
- Institute for Free Speech
- Institute for Justice
- International Assn of Better Business Bureaus
- International Documentary Assn.
- Inter American Press Association
- League of Women Voters
- Media Law Resource Center
- Motion Picture Association, Inc.
- National Coalition Against Censorship
- National Freedom of Information Coalition
- National Newspaper Association
- National Press Club Journalism Institute
- National Press Photographers Association
- National Right to Life
- National Taxpayers Union
- News Media Alliance
- PEN America
- Public Citizen
- Public Participation Project
- Radio Television Digital News Association
- Reporters Committee for Freedom of the Press
- RightsCon
- Society of Professional Journalists
- Student Press Law Center
- Texas Association of Broadcasters
- Texas Press Association
- The Authors Guild
- The Center for Investigative Reporting, d/b/a Reveal
- The Media Institute
- The National Press Club
- The News Leaders Association
- True Texas Project
- Yelp!
- American Broadcasting Companies, Inc.
- Associated Press
- Atlantic Monthly Group LLC
- Axios Media Inc.
- Beaumont Enterprise
- BuzzFeed, Inc.
- Cable News Network, Inc.
- Cox Media Group
- Dallas Morning News, Inc.
- Dow Jones & Company, Inc.
- El Paso Matters
- Forbes Media LLC
- Fox Television Stations, LLC
- Gannett Co., Inc.
- Graham Media Group, Houston, Inc.
- Graham Media Group, San Antonio, Inc.
- Gray Media Group, Inc.
- Hartman Newspapers
- Hearst Corporation
- Houston Chronicle
- KXAS-TV
- KTRK Television, Inc.
- Laredo Morning Times
- Las Vegas Review Journal
- NBCUniversal Media, LLC
- New York Times Company
- Nexstar
- Penguin Random House LLC
- Philadelphia Inquirer
- Pro Publica, Inc.
- Salem Media
- San Antonio Express-News
- Sinclair Broadcast Group, Inc.
- TEGNA Inc.
- Texas Monthly
- Texas Tribune
- The Washington Post