

By: Simpson

H.B. No. 3480

A BILL TO BE ENTITLED

1 AN ACT
2 relating non-compliance with a federal order, law, policy, rule,
3 mandate, or agency regulation that would violate Article I of the
4 Texas Constitution.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Chapter 421, Government Code, is amended by
7 adding Subchapter G to read as follows:

8 SUBCHAPTER G.

9 Sec. 421.101. POLICY; VIOLATION OF SUBCHAPTER. (a) It is
10 the policy of this state to refuse to provide material support for
11 or to participate in any federal order, law, policy, rule, mandate,
12 or agency regulation that the Texas Legislature, by a vote of 2/3 of
13 the members of each body determine would violate Article I of the
14 Texas Constitution.

15 (b) a state agency, public official, employee, or political
16 subdivision of this state may not act to impose, collect, enforce,
17 implement or effectuate a provision, penalty, or sanction
18 determined to be unconstitutional under subsection (a).

19 (c) For purposes of this section, "provision, penalty, or
20 sanction" includes any civil or criminal fine or penalty,
21 administrative penalty, license suspension or revocation,
22 suspension or revocation of the authority to engage in business in
23 this state, tax, salary or wage withholding or garnishment,
24 surcharge, or fee, or any other action or consequence implemented

1 pursuant to an action determined to be unconstitutional under
2 subsection (a).

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2013.