

Amend CSHB 2561 (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Chapter 551, Occupations Code, is amended by adding Section 551.008 to read as follows:

Sec. 551.008. CERTAIN RULES OR POLICIES PROHIBITED. (a)
The board may not adopt any rule, regulation, or policy or impose a penalty that:

(1) limits the ability of an applicant for a license or for registration under this subtitle to be licensed or registered based on a sincerely held religious belief of the applicant; or

(2) burdens a license holder's or registrant's:

(A) free exercise of religion, regardless of whether the burden is the result of a rule generally applicable to all license holders or registrants, as applicable;

(B) freedom of speech regarding a sincerely held religious belief; or

(C) membership in any religious organization.

(b) Subsection (a) does not apply to a rule, regulation, or policy adopted or a penalty imposed by the board that results in a limitation or burden described by Subsection (a) if the rule, regulation, policy, or penalty is:

(1) essential to enforcing a compelling governmental purpose; and

(2) narrowly tailored to accomplish that purpose.

(c) A person may assert that a board rule, regulation, or policy, or a penalty imposed by the board, violates this section as a defense in an administrative hearing or as a claim or defense in a judicial proceeding under Chapter 37, Civil Practice and Remedies Code.

(d) A person may bring an action for injunctive relief against a violation of this section.