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HOUSE OF REPRESENTATIVES

*Matt Soly*

*Matt Krause*

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

1 Amend C.S.H.B. No. 2561 (house committee report) by adding  
2 the following appropriately numbered SECTION to the bill and  
3 renumbering the SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Chapter 551, Occupations Code, is amended by  
5 adding Section 551.008 to read as follows:

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

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

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

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

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

18 (C) membership in any religious organization.

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

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

25 (2) narrowly tailored to accomplish that purpose.

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

1 Code.

2 (d) A person may bring an action for injunctive relief

3 against a violation of this section.