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17 MAY -1 AM 9:54
HOUSE OF REPRESENTATIVES

BY: Matt Krause

FLOOR AMENDMENT NO. _____

1 Amend C.S.H.B. No. 2950 (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 _____. Subchapter A, Chapter 301, Occupations Code,
5 is amended by adding Section 301.006 to read as follows:

6 Sec. 301.006. 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
10 under this chapter to be licensed based on a sincerely held
11 religious belief of the applicant; or

12 (2) burdens a license holder'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;

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.