

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 30, 2019

TO: Honorable Dade Phelan, Chair, House Committee on State Affairs

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB3172** by Krause (relating to the protection of membership in and support to religious organizations.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>

The bill would define adverse action and prohibit a governmental entity from taking any adverse action against any person based wholly or in part on a person's membership in, affiliation with, or contribution, donation, or other support provided to a religious organization. The bill would authorize a person to assert an actual or threatened violation in a judicial or administrative proceeding and obtain injunctive relief, declaratory relief, court costs, and reasonable attorney's fees.

The bill would require the Office of Attorney (OAG) to defend agency actions and authorize the OAG to bring an action for relief against a government entity to enforce compliance.

The bill would waive sovereign or governmental immunity.

Local Government Impact

According to the Texas Municipal League, there may be a fiscal impact to cities whenever governmental immunity is waived.

According to the Texas Association of Counties, the costs associated with implementing the provisions of the bill cannot be determined, but the bill could result in additional costs to counties incurred as a result of litigation.

Source Agencies: 302 Office of the Attorney General, 212 Office of Court Administration,
Texas Judicial Council

LBB Staff: WP, CMa, JQ, BRi, AF