

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 16, 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 religious beliefs and moral convictions, including beliefs and convictions regarding marriage.), **As Introduced**

No significant fiscal implication to the State is anticipated.

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 belief or action in accordance with a person's sincerely held religious belief or moral conviction, including beliefs or convictions regarding marriage. The bill would authorize a person to assert an actual or threatened violation in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, and any other appropriate relief including 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: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

LBB Staff: WP, CMa, BRi, AF