

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: HB3349 by Bucy (Relating to certain drug tests administered to employees and independent contractors of state agencies and political subdivisions.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would prohibit a state agency or political subdivision from requiring drug testing for tetrahydrocannabinols or cannabidiol indicating the use of marijuana or low-THC cannabis as a condition of employment, except in the case of a peace officer who is elected, employed, or appointed by a state agency or political subdivision.

The bill would authorize a person to assert an actual or threatened violation as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, and other appropriate relief.

The bill would waive sovereign or governmental immunity.

Local Government Impact

According to the Texas Municipal League, there would be no significant fiscal impact for municipalities.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 360 State Office of Administrative Hearings

LBB Staff: WP, CMa, BRi, AF