

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**March 26, 2019**

**TO:** Honorable Joan Huffman, Chair, Senate Committee on State Affairs

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

**IN RE:** SB17 by Perry (relating to discrimination by a state agency against an applicant for or holder of an occupational license.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would add Occupations Code Section 57.003, which would prohibit a state agency that issues a license or otherwise regulates a business, occupation, or profession adopting any rule, regulation, or policy or impose a penalty that limits an applicants ability to obtain, maintain, or renew a license based on a sincerely held religious belief. The bill would add Occupations Code Section 57.004, which would authorize a person to assert that a state agency rule, regulation, or policy, or a penalty imposed by the agency, violates Section 57.003 as a defense in an administrative hearing or as a claim or defense in a judicial proceeding under Chapter 37, Civil Practice and Remedies Code.

Provisions of the bill would likely result in increased rule challenges. It is assumed that costs associated with these challenges could be absorbed within existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**     302 Office of the Attorney General, 360 State Office of Administrative Hearings, 452 Department of Licensing and Regulation, 503 Texas Medical Board, 507 Texas Board of Nursing

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