87R12496 YDB-D

By:  Hefner H.B. No. 3901

A BILL TO BE ENTITLED

AN ACT

relating to prohibited restrictions on occupancy capacity for places of worship.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 110.001(a), Civil Practice and Remedies Code, is amended by adding Subdivisions (3) and (4) to read as follows:

(3)  "Place of worship" means a building or grounds where religious activities are conducted.

(4)  "Public official" means any elected or appointed officer, employee, or agent of this state or of a governmental agency or any other public body established by state law.

SECTION 2.  Chapter 110, Civil Practice and Remedies Code, is amended by adding Section 110.0031 to read as follows:

Sec. 110.0031.  PROHIBITION ON ORDERS RESTRICTING OCCUPANCY CAPACITY FOR PLACES OF WORSHIP. (a) A government agency or public official may not issue an order for purposes of a state of disaster declared under Chapter 418, Government Code, that restricts the occupancy capacity for or has the effect of restricting the occupancy capacity for a place of worship in this state or in a geographic area of this state.

(b)  For purposes of a state of disaster declared under Chapter 418, Government Code, this section is not considered a regulatory statute and may not be suspended.

SECTION 3.  Chapter 110, Civil Practice and Remedies Code, as amended by this Act, applies only to a claim or defense that accrues on or after the effective date of this Act. A claim or defense that accrued before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.