

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.

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

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