

By: Hughes

S.B. No. 1929

A BILL TO BE ENTITLED

AN ACT

relating to the availability of certain remedies for the burdening by a government agency of a person's free exercise of religion.

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

SECTION 1. Section 110.005(c), Civil Practice and Remedies Code, is amended to read as follows:

(c) An action under this section must be brought in a state or federal district court.

SECTION 2. Section 110.008, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 110.008. SOVEREIGN IMMUNITY WAIVED. (a) Subject to Section 110.006 and except as provided by Subsection (b), sovereign immunity to suit and from liability is waived and abolished in state and federal court to the extent of liability created by Section 110.005, and a claimant may sue a government agency for damages allowed by that section.

(b) Notwithstanding Subsection (a), this chapter does not waive or abolish sovereign immunity to suit and from liability under the Eleventh Amendment to the United States Constitution, which prohibits the citizens of another state or the citizens or subjects of a foreign state from suing this state or any arm of this state in federal court.

SECTION 3. Chapter 110, Civil Practice and Remedies Code, is amended by adding Section 110.013 to read as follows:

1 Sec. 110.013. LAWS REGULATING OR RESTRICTING ABORTION NOT
2 AFFECTED. Nothing in this chapter may be construed to limit the
3 enforcement of any law regulating or restricting abortion or any
4 law that withholds taxpayer funds from entities that perform or
5 promote abortions.

6 SECTION 4. This Act takes effect September 1, 2021.