

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 29, 2021

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3940 by Cain (Relating to discrimination against or burdening certain constitutional rights of an applicant for or holder of a license to practice law in this state.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to prohibit the State Bar of Texas from adopting certain rules and policies related to law license applications. The bill would provide that the State Bar rules and policies cannot limit an applicant's ability to obtain, maintain, or renew a law license based on the applicant's sincerely held religious beliefs or burden the applicant or state bar member's free exercise of religion, freedom of speech, membership in a religious organization, or freedom of association unless the limitation or burden posed by the rule or policy is essential to enforcing a compelling governmental purpose and is narrowly tailored to accomplish that purpose. The bill would provide for remedial and injunctive relief of violations of the prohibition.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

The bill would take effect immediately upon receiving a two-thirds majority vote in both houses; otherwise, the bill would take effect September 1, 2021.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, SLE, MW, BH