

**LEGISLATIVE FISCAL OFFICE**  
Fiscal Note



Fiscal Note On: **SB 606** SLS 10RS 907

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> June 11, 2010 3:31 PM	<b>Author:</b> MARTINY
<b>Dept./Agy.:</b> Judiciary	<b>Analyst:</b> Charley Rome
<b>Subject:</b> Creates Preservation of Religious Freedom Act	

RELIGIOUS FREEDOMS/LIBERTIES RE SEE FISC NOTE GF EX See Note  
Provides relative to religious freedom. (8/15/10)

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Proposed law creates the Preservation of Religious Freedom Act. The bill provides that government may not substantially burden a person's exercise of religion, even if the burden results from a facially neutral rule or a rule of general applicability, unless it demonstrates that application of the burden to the person is essential to further a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest. The bill establishes definitions related to the Religious Freedom Act. The legislation applies to all state laws and local ordinances. Burdened parties may assert their violation as a claim or defense in judicial proceedings including injunctive/declaratory relief and actual damages including reasonable attorney fees and costs. The bill describes procedures required to bring an action to court and that provisions of the Louisiana Governmental Claim Act shall apply to the proposed law. Proposed law provides that it shall not affect, interpret, or in any way address that portion of the First Amendment to the U. S. Constitution and provides that the provisions of proposed law are severable. Effective August 15, 2010.

<b>EXPENDITURES</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

<b>REVENUES</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>5 -YEAR TOTAL</b>
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Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

The proposed legislation is unlikely to significantly affect state and local governmental expenditures. According to the Louisiana Attorney General, the bill could result in a moderate increase in litigation against the State and State agencies because the bill creates a new cause of action for violations of religious liberties under certain defined circumstances. However, the Office of the Attorney General anticipates the increase in litigation will not be substantial and the impact to state expenditures will be minimal including any impact on the court system. The Attorney General's office also reports they can meet the bill's requirements with existing staff and resources. The Louisiana Police Jury Association reports that the bill will not significantly affect local governmental expenditures.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate      Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost  
 13.5.2 >= \$500,000 Annual Tax or Fee Change

House  
 6.8(F) >= \$100,000 Annual SGF Cost  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease

*Robert E. Hosse*  
**Robert E. Hosse**  
**LFO Staff Director**