

Bill Summary
1st Session of the 57th Legislature

Bill No.:	SB 344
Version:	INT
Request No.:	1218
Author:	Sen. Dahm
Date:	01/16/2019

Bill Analysis

SB 344 prohibits the expenditure of any state funds if the monies are spent on propaganda or publicity opposing rights enumerated in the Bill of Rights, material designed to defeat or support legislation or rules opposing these rights, or employment of any liaison or lobbyist advocating for or against legislation in opposition to these rights. The measure specifies that agencies may not advocate for the restriction or addition of any requirement to the sale of any products nor advocate for fines or taxes on any product related to those rights.

The measure establishes a \$1,000.00 penalty and/or a term of imprisonment not lasting more than one year. Elected officials are exempted from the provisions of this measure. Persons and governmental entities are not deemed to have violated the provisions of this bill if they are discussing the merits of any legislation, rule, regulation, administrative action or order.

Prepared by: Kalen Taylor

Fiscal Analysis

FY '20 impact: Unknown

Full year impact: Unknown

This bill makes unlawful for any state entity or political subdivision of this state, or any branch, division, foundation, contractor or affiliate of a political subdivision to expend any monies, funds or resources to counter rights as stated in the Bill of Rights and the Constitution of the United States. This includes opposing or promoting certain proposed laws or rules. It also provides for a misdemeanor which upon conviction would incur a fine of \$1,000. Since the bill focuses on preventing entities from certain activities, it is not clear who could be liable for any possible fine. There is also the issue of determining if an action has actually violated the law since that would require a determination of whether an action was against the rights stated in the Bill of Rights and the Constitution. That determination usually requires a ruling from a court room so this bill could easily increase the number of lawsuits against various state entities.

Prepared by: Fiscal Staff