

## STATEMENT OF PURPOSE

RS32481 / S1129

An articulated right is meaningless without a mechanism for enforcement. In line with the principle of *Ubi Jus Ibi Remedium* (Where there is a Right, There is a Remedy), this bill ensures citizens have recourse if a government entity violates their rights enumerated in Section 9, Article I (Freedom of Speech) or Section 4, Article I (Guaranty of Religious Liberty) of the Idaho Constitution. A lawsuit could be filed according to existing procedure found in the Idaho Tort Claims Act, chapter 9, Title 6, Idaho Code.

## FISCAL NOTE

This legislation does not require the expenditure of any state funds and does not create, repeal, or amend any state taxes or fees. There is thus no calculable fiscal impact, as it only clarifies a right to certain private civil actions. Possible costs to district courts associated with running potential proceedings, and costs incurred to the state or any political subdivision of the state as a result of possibly losing such cases if found infringing upon freedom of speech or religious liberty, would be speculative.

### Contact:

Senator Ben Toews  
(208) 332-1000

**DISCLAIMER:** This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).