

STATEMENT OF PURPOSE

RS31227 / H0517

An articulated right is meaningless without measures for accountability. In line with the principle *ubi jus ibi remedium*, this bill provides a private civil action for damages under the Freedom of Speech (article I section 9) and Guaranty of Religious Liberty (article I section 4) clauses of the Idaho Constitution. In empowering individuals to hold government entities accountable for infringing on Individual Rights, this bill lays the groundwork for Idaho to develop its own solid case law on these issues, rather than leaving aggrieved individuals dependent on Federal law.

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 significant direct fiscal impact anticipated, as it only provides for 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, are purely speculative.

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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).