

For Immediate Release

Contact
Jared Woodfill
713.419.0595

**Dr. Hotze and Agriculture Commissioner Sid Miller File
Lawsuit Against Lt. Governor Patrick**

HOUSTON, TX - On March 23, 2021, Jared Woodfill, J.D., filed a lawsuit on behalf of Steven Hotze, M.D. and Agriculture Commissioner Sid Miller against Lt. Governor Dan Patrick, the Sergeant-At-Arms for the Texas State Senate, and the Texas State Senate. This lawsuit requests that the COVID-19 test requirement at the State Capitol be eliminated.

Currently, Lt. Governor Patrick and the Texas State Senate have adopted a rule requiring any citizen who wants to enter the Senate gallery or attend a Senate committee hearing to have a COVID-19 test administered in a tent outside the North entrance of the State Capitol, with the test being negative.

The Texas House does not require a COVID-19 test for citizens in order to be admitted to proceedings of the Texas House.

The Texas Constitution, Article III, Section 16, provides: “The session of each House shall be open, except the Senate when in Executive Session.” This constitutional limit on legislative power requires the Senate to be accessible and open to the public. The Senate is not “open” or “accessible” because the Senate rules requires plaintiffs and all citizens to submit to the COVID-19 medical procedure prior to participating in their government, as it relates to the Texas Senate. This means that the Texas Senate is closed to those who refuse to submit to the COVID-19 medical procedure.

Article I, Section 8 of the Texas Constitution provides, “Every person should be at liberty to speak, write or publish his opinions on any subject, being responsible for the abuse of that privilege; and no law shall ever be passed curtailing the liberty of speech or of the press.” A rule that unreasonably restricts speech by requiring a medical procedure as a prerequisite to expressing speech violates the Texas Constitution.

The Texas Constitution, Article 1, Section 27, creates a right for citizens to petition their government: “The citizen shall have the right, in a peaceable manner, to assemble together for their common good; and apply to those invested with powers of government for redress of grievances or other purposes, by petition, address or remonstrance.”

The Texas Open Meetings Act requires that every meeting or session of every governmental body should be open to the public.

Dr. Hotze stated, “By closing the Texas Senate to those who refuse to submit to the COVID-19 medical procedure, Lt. Governor Patrick and the Texas State Senate are violating the Texas Constitution and the Texas Open Meetings Act.”