

# ALERT BULLETIN

THE LEGISLATIVE REPORT ON RELIGIOUS LIBERTY  
Sunday, March 20, 2016

## SUBSTITUTE BILL PASSES HOUSE AND SENATE WITH BROAD-BASED RELIGIOUS LIBERTY PROTECTIONS

On March 16th, the House (104 to 65) and Senate (37 to 18) passed HB 757. The bill originally began in the House as the Pastors Protection Act. Upon reaching the Senate, it was amended with the First Amendment Defense Act. When it went back to the House, a large part of the First Amendment Defense Act was stripped from the bill, and the Religious Freedom Restoration Act was added. It is now called the Free Exercise Protection Act. If this sounds confusing, welcome to the legislative process.

Even though the bill is now is on its way to the Governor's desk, his signature may not be certain. Please read the article provided at the following link to see the Governor's previous opposition to the bill. <http://politics.blog.ajc.com/2016/03/03/nathan-deals-remarkably-forceful-opposition-to-georgia-religious-liberty-legislation/>  
See response article at this link: <http://www.thegospelcoalition.org/article/georgia-governor-invokes-the-bible-against-christian-conscience>

### **ACTION ITEM: Urge the Governor to sign HB 757**

**1st- PRAY**

**2nd- CALL THE GOVERNOR: (404-656-1776)**

**OUR MESSAGE:** Please sign HB 757. Georgia needs broad-based religious liberty protections. It provides protections for faith-based ministries with regard to the marriage issue and also includes a state-level Religious Freedom Restoration Act (RFRA) ensuring that our Free-Exercise of Religion is honored in Georgia just as much as in neighboring states that have already passed similar legislation.

## UNDERSTANDING HB 757 - THE FREE EXERCISE PROTECTION ACT

The final compromise between the Georgia House and the Georgia Senate includes specific protections for clergy so that no civil action can be taken against them for refusing to perform marriages, rites, or sacraments that conflict with their religious beliefs.

The legislation also protects some faith-based organizations so that they are not subject to any civil action if they refuse to provide social, educational, or charitable services if doing so would violate their religious beliefs. They are also protected if they refuse to rent, lease or otherwise not grant permission for property to be used for events that are objectionable to their religious beliefs. These same faith-based organizations are provided protection in all their hiring practices so that there is no requirement to hire or retain as an employee any person whose religious beliefs or practices are not in accord with the faith-based organizations religious beliefs. As far as hiring practices are concerned, these protections have always been affirmed by the U.S. Supreme Court, and this language affirms what is already standard practice in the court system.

### JUST WHAT IS MEANT BY FAITH-BASED?

In the legislation's definition, a faith-based organization means "a church, a religious school, an association or convention of churches, a convention mission agency, or an integrated auxiliary of a church or convention or association of churches, when such entity is qualified as an exempt religious organization under Section 501(c)(3)." Unfortunately, the final legislation does not cover parachurch organizations nor does it cover faith-based businesses as the original legislation did when it left the Senate.

### SO, IF EVERYONE ISN'T COVERED, WHAT IS BROAD-BASED?

The addition of language that mirrors the Religious Freedom Restoration Act (RFRA) restores the highest standard of judicial review to all Free Exercise claims. RFRA acts as a strong deterrent to frivolous lawsuits against religious people, their businesses, and their organizations. It also provides protections against laws or regulations that infringe on religious liberty. If lawsuits do happen, RFRA's judicial balancing test of "strict scrutiny" ensures that government cannot substantially burden the free exercise of religion without compelling justification of the highest order, such as public safety, and that government must use the least restrictive means to accomplish its constitutional objective.

**For More Information:** [www.GeorgiaReligiousFreedom.com](http://www.GeorgiaReligiousFreedom.com)