

2016 Regular Session

HOUSE BILL NO. 597

BY REPRESENTATIVE MIKE JOHNSON

RELIGIOUS ORGANIZATIONS: Provides for the Pastor Protection Act

1 AN ACT

2 To enact Part XX of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950,
3 comprised of R.S. 13:5243 through 5245, relative to religious organizations; to
4 provide for rights of certain religious organizations; to provide for protection against
5 certain punitive measures against religious organizations; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part XX of Chapter 32 of Title 13 of the Louisiana Revised Statutes of
9 1950, comprised of R.S. 13:5243 through 5245, is hereby enacted to read as follows:

10 PART XX. PASTOR PROTECTION ACT

11 §5243. Short title

12 This Part may be cited as the "Pastor Protection Act".

13 §5244. Rights of certain religious organizations

14 A religious organization, an organization supervised or controlled by a
15 religious organization, an individual employed by a religious organization while
16 acting in the scope of that employment, or a clergy or minister may not be required
17 to solemnize any marriage or provide services, accommodations, facilities, goods,
18 or privileges for a purpose related to the solemnization, formation, or celebration of
19 any marriage if the action would cause the organization or individual to violate a
20 sincerely held religious belief.

1 §5245. Discrimination against religious organization prohibited
 2 A refusal to provide services, accommodations, facilities, goods, or privileges
 3 under this Part shall not serve as the basis for a civil or criminal cause of action or
 4 any other action by this state or a political subdivision of this state to penalize or
 5 withhold benefits or privileges, including tax exemptions or governmental contracts,
 6 grants, or licenses, from any protected organization or individual.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 597 Engrossed

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Abstract: Provides for the rights of religious organizations and its employees and clergy to refuse participation in certain marriages.

Present law protects the free exercise of religion.

Proposed law retains present law and creates the Pastor Protection Act.

Proposed law provides that a religious organization, an organization supervised or controlled by a religious organization, an individual employee of a religious organization, or a clergy or minister may not be required to solemnize or provide services, accommodations, facilities, goods, or privileges for a purpose related to the solemnization, formation, or celebration of any marriage if doing so would cause the organization or individual to violate a sincerely held religious belief. Provides that a refusal pursuant to proposed law shall not serve as the basis for a civil, criminal, or other punitive action by the state or a political subdivision.

(Adds R.S. 13:5243-5245)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Removes the language "in connection with" such that the bill applies to organizations that are "supervised or controlled by" religious organizations but not to organizations that are "in connection with" religious organizations.