
DIGEST

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HB 597 Reengrossed

2016 Regular Session

Mike Johnson

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 legally recognized church or faith under state or federal tax law or regulation, or a religious organization that meets the qualifications of the United States Internal Revenue Code, Section 501(c)(3), a member of the clergy of a recognized church, faith, or religious organization, or an individual employed by a legally recognized church, faith, or religious organization described in the Pastor Protection Act, acting in the scope of such employment, may not be required by the state to solemnize a marriage, nor provide access to facilities, services, accommodations, goods, or privileges of the church, faith, or religious organization for a purpose related to the solemnization, formation, or celebration of that marriage, if the actions would be contrary to church doctrine, practice, or would violate the religious beliefs and principles of the clergy, church, or religious organization. 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.

Proposed law does not apply to the marriage of a heterosexual interracial couple.

(Adds R.S. 13:5243-5247)

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.

The House Floor Amendments to the engrossed bill:

1. Clarifies the definition of a religious organization as one that meets the qualifications of the United States Internal Revenue Code, Section 501(c)(3).

2. Adds that the Act does not apply to weddings of heterosexual interracial couples.
3. Adds that nothing in the Act may be construed or applied in derogation of Louisiana's tradition of tolerance of all people.