HOUSE BILL No. 1416

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-13-9.

Synopsis: Religious freedom restoration. Repeals the following provisions of the Indiana religious freedom restoration act: (1) An application provision stating certain limitations on the statute. (2) The definition of "provider".

Effective: Upon passage.

Borders, Nisly

January 15, 2020, read first time and referred to Committee on Judiciary.

Introduced

Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1416

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning civil procedure.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 34-13-9-0.7 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 0.7. This chapter does not:~~

~~(1) authorize a provider to refuse to offer or provide services, facilities, use of public accommodations, goods, employment, or housing to any member or members of the general public on the basis of race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or United States military service;~~

~~(2) establish a defense to a civil action or criminal prosecution for refusal by a provider to offer or provide services, facilities, use of public accommodations, goods, employment, or housing to any member or members of the general public on the basis of race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or United States military service; or~~

~~(3) negate any rights available under the Constitution of the State of Indiana.~~

SECTION 2. IC 34-13-9-7.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 7.5. As used in this chapter, "provider" means one (1) or more individuals, partnerships, associations, organizations, limited liability companies, corporations, and other organized groups of persons. The term does not include:~~

~~(1) A church or other nonprofit religious organization or society, including an affiliated school, that is exempt from federal income taxation under 26 U.S.C. 501(a), as amended (excluding any activity that generates unrelated business taxable income (as defined in 26 U.S.C. 512, as amended)).~~

~~(2) A rabbi, priest, preacher, minister, pastor, or designee of a church or other nonprofit religious organization or society when the individual is engaged in a religious or affiliated educational function of the church or other nonprofit religious organization or society.~~

SECTION 3. **An emergency is declared for this act.**