

Hall of the House of Representatives
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of Senate Bill No. 1119

TO ENACT THE RELIGIOUS FREEDOM RESTORATION ACT; AND TO PROVIDE REMEDIES AND
PENALTIES FOR VIOLATING OR ABUSING RELIGIOUS PROTECTIONS UNDER THE ACT.

Amendment No. 1 to Senate Bill No. 1119

Amend Senate Bill No. 1119 as engrossed, S4/2/13 (version: 04/02/2013 3:08:15 PM):

Page 1, delete lines 25 through 27 and substitute:

"The General Assembly finds that it is a compelling state interest to protect the health, safety, and well-being of a child."

AND

Page 2, delete lines 10 through 12 and substitute:

"(2) "Demonstrates" means to meet the burdens of going forward with the evidence and of persuasion;"

AND

Page 3, delete lines 1 through 10 and substitute:

"(a) Except as provided in subsection (b) of this section, a government entity shall not burden a person's exercise of religion even if the burden results from a rule of general applicability or otherwise.

(b) A government entity may burden a person's exercise of religion only if it demonstrates that application of the burden to the person is:

(1) In furtherance of a compelling governmental interest; and

(2) The least restrictive means of furthering that compelling governmental interest."

AND

Page 3, delete lines 12 through 23 and substitute:

"16-123-404. Construction and applicability.

This subchapter does not:

(1) Authorize a government entity to burden a religious belief;



(2) Affect, interpret, or in any way address those portions of this subchapter, Article 2, §§ 24-26, of the Arkansas Constitution or the First Amendment to the United States Constitution that prohibit laws respecting the establishment of religion;

(3) Prohibit a grant of government funds, benefits, or exemptions to the extent permissible under those portions of this subchapter, Article 2, §§ 24-26, of the Arkansas Constitution or the First Amendment to the United States Constitution that prohibit laws respecting the establishment of religion; or

(4) Affect the ability of a governmental entity to enact zoning laws, ordinances, or regulations that are consistent with the Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. § 2000cc – 2000cc-5, as it existed on January 1, 2013, or other applicable federal law, as it existed on January 1, 2013."

AND

Page 3, delete lines 35 and 36 and substitute:

"(2) A person who is found by a court of competent jurisdiction to have filed a fraudulent claim or frivolous claim under this subchapter may be:

(A) Assessed reasonable costs and attorney's fees; and

(B) Prohibited from filing subsequent claims under this subchapter without permission from the court."

The Amendment was read _____

By: Representative Ballinger
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Chief Clerk