

ARKANSAS SENATE
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. 3 to Senate Bill No. 1119

Amend Senate Bill No. 1119 as engrossed, S3/19/13 (version: 03/19/2013 8:34:43 AM):

Page 2, line 30, delete "acting under" and substitute "acting in his or her official capacity under"

AND

Page 3, line 8, delete "Essential to further" and substitute "In furtherance of"

AND

Page 3, delete line 31 and substitute "declaratory and injunctive relief deemed"

AND

Page 3, line 33, delete "(b) A" and substitute "(b)(1) A"

AND

Page 3, delete line 35 and substitute:

"attorney's fees.

(2) A person who files a fraudulent claim or frivolous claim under this subchapter may be assessed reasonable costs and attorney's fees.

16-123-406. Notice – Right to accommodate.

(a) A person may not bring an action under this subchapter unless no more than sixty (60) days before bringing the action the person gives written notice by certified mail, return receipt requested, to the government entity allegedly burdening the person's free exercise of religion:

(1) That the person's free exercise of religion is burdened by an exercise of the government entity's governmental authority;



(2) Of the particular act or refusal to act that is burdened;
and

(3) Of the manner in which the exercise of governmental authority burdens the act or refusal to act.

(b) A person may bring an action under this subchapter within the sixty-day period established by subsection (a) of this section, if:

(1) The exercise of governmental authority that threatens to burden the person's free exercise of religion is imminent; and

(2) The person was not informed and did not otherwise have knowledge of the exercise of the governmental authority in time to reasonably provide the written notice under subsection (a) of this section.

16-123-407. Exemptions.

The following entities are exempt from this subchapter:

(1) The Department of Correction;

(2) The Department of Community Correction;

(3) The Division of Youth Services of the Department of Human Services; and

(4) Any state, county, or local entity, jail, or correctional facility that houses inmates or persons otherwise in state custody."

AND

Page 4, delete lines 1 and 2

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Hester

BPG/LNS - 04-01-2013 12:42:12

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Secretary