

Historical Timeline of the Religious Freedom Restoration Act

1993

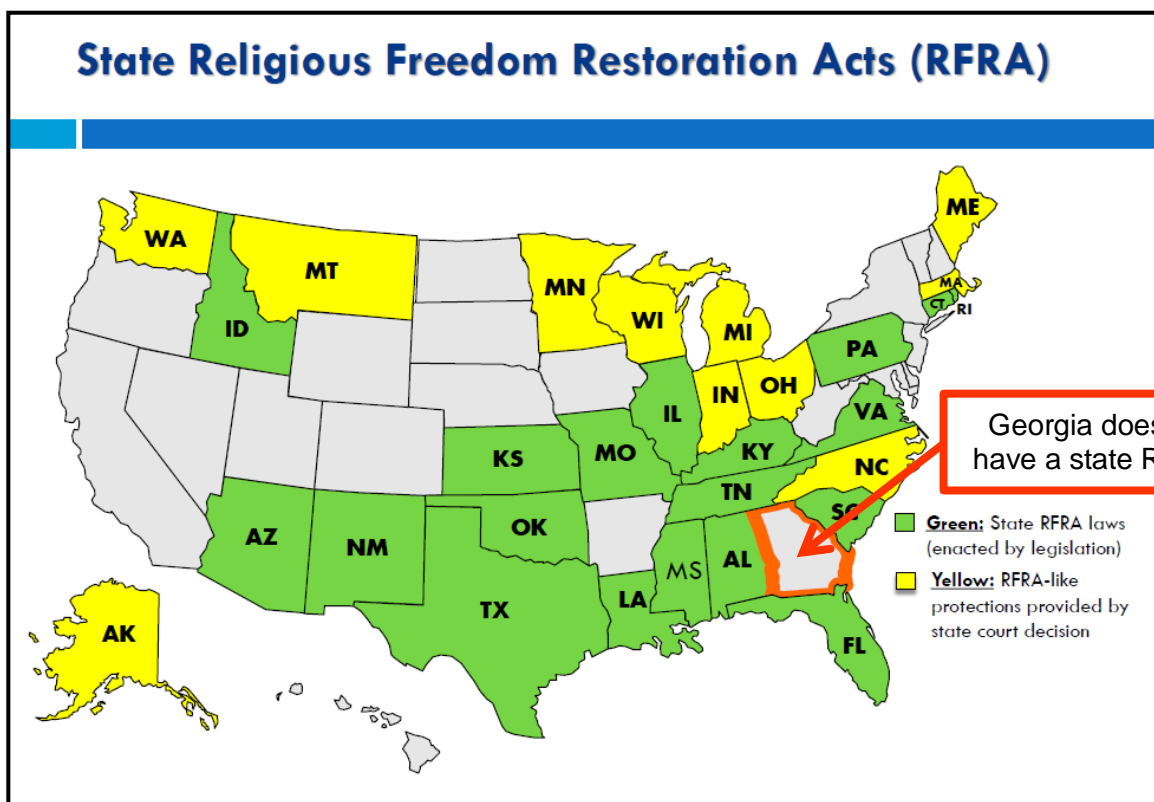
The Religious Freedom Restoration Act (RFRA) was introduced by Congressman Chuck Schumer (D-NY) and passed by a unanimous U.S. House and a near unanimous U.S. Senate. The bill was signed into law by President Bill Clinton.

1997

U.S. Supreme Court in City of Boerne v. Flores held that the Religious Freedom Restoration Act only applies to the federal government but not states and other local municipalities.

1998 – 2014

As a result of 1997 U.S. Supreme Court ruling, **Georgians have been left vulnerable to state religious discrimination lawsuits**. 19 states have passed their own Religious Freedom Restoration Act that applies to their individual state and local governments, **but not Georgia**. **All states contiguous to Georgia have a Religious Freedom Restoration Act**.



1993 Remarks by President Bill Clinton

“The free exercise of religion has been called the first freedom, that which originally sparked the development of the full range of the Bill of Rights. Our Founders cared a lot about religion. And one of the reasons they worked so hard to get the first amendment into the Bill of Rights at the head of the class is that they well understood what could happen to this country, how both religion and Government could be perverted if there were not some space created and some protection provided. They knew that religion helps to give our people the character without which a democracy cannot survive. They knew that there needed to be a space of freedom between Government and people of faith that otherwise Government might usurp.”

--Remarks by President Bill Clinton on Signing the Religious Freedom Restoration Act of 1993

What a Religious Freedom Restoration Act Does and Does Not Do

What the Religious Freedom Restoration Act Does

- Protects the liberty of all Georgians to practice religion – which includes living their faith, not just worshipping on one particular day in a designated place - without fear of government retaliation.
- Applies a strict balancing test – If the government is *substantially* burdening religious freedom, it must show compelling interest and that its action is the least restrictive means of protecting that interest. The court will perform the balancing test, which will weed out specious claims (as it has since 1787).
- Ensures protection for faith-based social-service organizations that provide vital services to vulnerable children and adults.

What the Religious Freedom Restoration Act Does Not Do

- Violate the Constitution – the Religious Freedom Restoration Act (RFRA) has not been challenged. As a matter of fact, the U.S. Supreme Court based its recent decision of *Burwell v. Hobby Lobby* and *Conestoga Wood Specialties v. Burwell* on RFRA.
- Perpetuate a bad business environment - in the nineteen states where there is a Religious Freedom Restoration Act, there is no tangible effect on the business climate.

Recent Examples of Religious Discrimination in Georgia

Restrictions on Free Speech at Georgia Institute of Technology

Georgia Tech had various speech code policies, which applied to students and student organizations and limited their ability to express views on topics that the Institute deemed “intolerant.” Georgia Tech also limited the locations on its huge campus where students could engage in free speech to certain tiny “speech zones” and refused to give student activity funds to student organizations that engaged in “religious activities.”

Restrictions on Christian Clubs at Savannah State University

Savannah State administrators revoked official recognition for a Christian student club due to alleged hazing violations. According to administrators, this hazing occurred when the ministry held a foot washing ceremony in a discipleship retreat. Such a ceremony follows the example of Christ, who washed the feet of His disciples in an example of service, love, and humility. This resulted in the student group’s complete loss of access to the campus for any activities.

Denial of Religious Club in Atlanta Public Schools

An individual repeatedly requested officials with the Atlanta Public School system for permission to begin a religious student club at Sutton Middle School. The District allows many other student clubs to meet before, during, and after school without charge and to have access to certain benefits and privileges in terms of publicizing group activities to others. The District, based on so-called “separation of church and state” concerns, denied the request for equal treatment. It insists on treating the club as a community organization that must rent school facilities.

Restrictions on Church Rentals in DeKalb County, GA

A church rented a Recreation Center in DeKalb County, Georgia for weekly church services. In May 2012, they were told that the park board would no longer rent the Recreation Center to churches. The park board claimed it was pursuant to a new (unwritten) policy.

Catholic School Barred from Locating in Suwanee, GA

A Catholic School identified a large tract of land within the city of Suwanee to purchase in order to build a permanent facility for its primary and secondary schools. Within two days of learning of the intended purchase by the Catholic School, the City of Suwanee passed a moratorium on “large projects” on land in excess of five (5) disturbed acres. The only project that met the criteria of the moratorium was the Catholic School’s project.