

Bill Summary & Status 106th Congress (1999 - 2000) H.R.1691 All Information

[NEW SEARCH](#) | [HOME](#) | [HELP](#)

[← Back to Bill Summary and Status](#)

 [Print](#)  [Subscribe](#)  [Share/Save](#)

H.R.1691

Title: Religious Liberty Protection Act of 1999

Sponsor: [Rep Canady, Charles T.](#) [FL-12] (introduced 5/5/1999) [Cosponsors](#) (39)

Related Bills: [H.RES.245](#), [S.2081](#)

Latest Major Action: 11/19/1999 Referred to Senate committee. Status: Read twice and referred to the Committee on Judiciary.

House Reports: [106-219](#)

Note: For further action, see [S. 2869](#), which became Public Law 106-274 on September 22, 2000.

Jump to: [Summary](#), [Major Actions](#), [All Actions](#), [Titles](#), [Cosponsors](#), [Committees](#), [Related Bill](#), [Details](#), [Amendments](#)

SUMMARY AS OF:

7/15/1999--Passed House amended. (There are 2 [other summaries](#))

Religious Liberty Protection Act of 1999 - Prohibits a government (defined as a State, an entity created under State authority, the United States, an instrumentality or official of the United States, or any person acting under color of State or Federal law) from substantially burdening a person's religious exercise: (1) in a government-operated program or activity receiving Federal financial assistance; or (2) in any case in which the burden affects, or in which removal of the burden would affect, international or interstate

commerce or commerce with Indian tribes. Allows a substantial burden if the government demonstrates that it is the least restrictive means of furthering a compelling governmental interest.

(Sec. 3) Places the burden of persuasion, when a claimant alleges a violation of the Free Exercise Clause or this Act, on: (1) the claimant regarding whether a substantial burden exists; and (2) the State regarding any other element of the claim.

Prohibits a State, when applying a land use regulation or exemption in which the State has the authority to make individual assessments of proposed uses, from imposing a substantial burden unless the State demonstrates a that the burden is the least restrictive means of furthering a compelling governmental interest. Prohibits a State from: (1) imposing a land use regulation in a way that does not treat religious assemblies or institutions on equal terms with nonreligious assemblies or institutions; (2) imposing a land use regulation that discriminates against any assembly or institution on the basis of religion or religious denomination; or (3) unreasonably excluding or limiting from a jurisdiction assemblies or institutions principally devoted to religious exercise. Declares that adjudication of a claim of a violation of the Free Exercise Clause or this paragraph in a non-Federal forum shall be entitled to full faith and credit in a Federal court only if the claimant had a full and fair adjudication of that claim in the non-Federal forum. Declares that this Act does not preempt State law that is equally or more protective of religious exercise.

(Sec. 4) Empowers a person to assert a violation of this Act as a claim or defense in a judicial proceeding and obtain appropriate relief against a government, with standing governed by general standing rules under article III of the Constitution. Amends Federal law to add a reference to the Religious Liberty Protection Act of 1998 (sic) to provisions allowing the award of attorney's fees. Applies the Prison Litigation Reform Act of 1995 to litigation under this Act by prisoners. Empowers the United States to sue for injunctive or declaratory relief to enforce this Act.

(Sec. 5) Declares that this Act does not: (1) authorize a State to burden any religious belief; (2) create any basis for burdening religious exercise or for claims against a religious organization not acting under color of law; (3) create or preclude a right of any religious organization to receive government funding or assistance or of any person to receive government funding for a religious activity (but allows this Act to require government to incur expenses in its own operations to avoid imposing a burden or a substantial burden on religious exercise); (4) authorize a government to regulate or affect, directly or indirectly, the activities or policies of a person other than a government as a condition of receiving funding or other assistance; or (5) restrict any authority that may exist under other law to so regulate or affect, except as provided in this Act. Declares that this Act should be construed in favor of broad protection of religious exercise, to the maximum extent permitted by its terms and the Constitution.

(Sec. 6) Declares that nothing in this Act shall be construed to affect, interpret, or address the Establishment Clause of the Constitution (prohibiting laws respecting an establishment of religion).

(Sec. 7) Amends the Religious Freedom Restoration Act of 1993 to end its applicability to the States and to make it applicable only to the Federal Government, the District of Columbia, Puerto Rico, and U.S. territories and possessions. Redefines exercise of religion to mean any exercise of religion, whether or not compelled by or central to a system of religious belief, including: (1) the use, building, or converting of

real property for religious exercise; and (2) any conduct protected as a religious exercise under the first amendment to the Constitution.

(Sec. 8) Defines, for this Act, religious exercise to mean any exercise of religion, whether or not compelled by or central to a system of religious belief, including: (1) the use, building, or converting of real property for religious exercise; and (2) any conduct protected as a religious exercise under the first amendment to the Constitution.

MAJOR ACTIONS:

5/5/1999 Introduced in House
7/1/1999 Reported (Amended) by the Committee on Judiciary. H. Rept. [106-219](#).
7/15/1999 Passed/agreed to in House: On passage Passed by recorded vote: 306 - 118 ([Roll no. 299](#)).
11/19/1999 Referred to Senate committee: Read twice and referred to the Committee on Judiciary.

ALL ACTIONS: ([Floor Actions/Congressional Record Page References](#))

5/5/1999:

Referred to the House Committee on the Judiciary.

5/7/1999:

Referred to the Subcommittee on the Constitution.

5/12/1999:

Subcommittee Hearings Held.

5/26/1999:

Subcommittee Consideration and Mark-up Session Held.

5/26/1999:

Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.

6/15/1999:

Committee Consideration and Mark-up Session Held.

6/23/1999:

Committee Consideration and Mark-up Session Held.

6/23/1999:

Ordered to be Reported (Amended) by Voice Vote.

7/1/1999 7:49pm:

Reported (Amended) by the Committee on Judiciary. H. Rept. [106-219](#).

7/1/1999 7:50pm:

Placed on the Union Calendar, Calendar No. 125.

7/13/1999 2:40pm:

Rules Committee Resolution [H. Res. 245](#) Reported to House. Rule provides for consideration of [H.R. 1691](#) with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions

PLEASE CLICK HERE
TO GIVE US FEEDBACK



except motion to recommit with or without instructions. The amendment recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. Measure will be considered read. A specified amendment is in order. The amendment printed in the Congressional Record, if offered by Mr. Conyers or his designee, shall be considered as read and shall be separately debatable for one hour, equally divided and controlled.

7/15/1999 11:38am:

Rule [H. Res. 245](#) passed House.

7/15/1999 11:39am:

Considered under the provisions of rule [H. Res. 245](#). (consideration: CR [H5584-5608](#))

7/15/1999 11:39am:

Rule provides for consideration of [H.R. 1691](#) with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. The amendment recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. Measure will be considered read. A specified amendment is in order. The amendment printed in the Congressional Record, if offered by Mr. Conyers or his designee, shall be considered as read and shall be separately debatable for one hour, equally divided and controlled.

7/15/1999 11:39am:

[H.AMDT.283](#) Amendment (A001) in the nature of a substitute by the Committee on Judiciary.

Pursuant to [H. Res. 245](#), the committee amendment now printed in the bill shall be considered as adopted.

7/15/1999 11:39am:

[H.AMDT.283](#) On agreeing to the Judiciary amendment (A001) Agreed to pursuant to the rule.

7/15/1999 11:40am:

DEBATE - The House proceeded with one hour of debate on [H.R. 1691](#).

7/15/1999 12:49pm:

[H.AMDT.284](#) Amendment (A002) in the nature of a substitute offered by Mr. Nadler.

Amendment in the nature of a substitute sought to permit persons to file claims related to the free exercise of religion except for cases dealing with housing and employment discrimination. For these cases, small landlords, religious institutions and small business owners may file claims.

7/15/1999 12:49pm:

DEBATE - The House proceeded with one hour of debate on the amendment offered by Mr. Nadler.

7/15/1999 2:02pm:

The previous question was ordered on the amendment and the bill pursuant to the rule.

7/15/1999 2:24pm:

[H.AMDT.284](#) On agreeing to the Nadler amendment (A002) Failed by the Yeas and Nays: 190 - 234 ([Roll no. 298](#)).

7/15/1999 2:42pm:

On passage Passed by recorded vote: 306 - 118 ([Roll no. 299](#)).

7/15/1999 2:42pm:

Motion to reconsider laid on the table Agreed to without objection.

7/16/1999:

Received in the Senate.

11/19/1999:

Read twice and referred to the Committee on Judiciary.

11/19/1999 11:43pm:

See also [S. 2869](#).

TITLE(S): *(italics indicate a title for a portion of a bill)*

- SHORT TITLE(S) AS INTRODUCED:
Religious Liberty Protection Act of 1999
- SHORT TITLE(S) AS REPORTED TO HOUSE:
Religious Liberty Protection Act of 1999
- SHORT TITLE(S) AS PASSED HOUSE:
Religious Liberty Protection Act of 1999
- OFFICIAL TITLE AS INTRODUCED:
To protect religious liberty.

COSPONSORS(39), ALPHABETICAL [followed by Cosponsors withdrawn]: (Sort: [by date](#))

Rep Bachus, Spencer [AL-6] - 5/10/1999	Rep Barrett, Bill [NE-3] - 6/10/1999
Rep Bentsen, Ken [TX-25] - 5/10/1999	Rep Blunt, Roy [MO-7] - 6/7/1999
Rep Camp, Dave [MI-4] - 6/10/1999	Rep Cannon, Chris [UT-3] - 5/5/1999
Rep Coburn, Tom A. [OK-2] - 6/22/1999	Rep Cook, Merrill [UT-2] - 5/13/1999
Rep Dickey, Jay [AR-4] - 5/24/1999	Rep Edwards, Chet [TX-11] - 5/5/1999
Rep Emerson, Jo Ann [MO-8] - 5/13/1999	Rep English, Phil [PA-21] - 5/13/1999
Rep Green, Gene [TX-29] - 5/5/1999	Rep Green, Mark [WI-8] - 6/7/1999
Rep Hall, Ralph M. [TX-4] - 5/10/1999	Rep Hall, Tony P. [OH-3] - 6/22/1999
Rep Hastings, Doc [WA-4] - 5/24/1999	Rep Hefley, Joel [CO-5] - 5/10/1999
Rep Hutchinson, Asa [AR-3] - 5/5/1999	Rep Hyde, Henry J. [IL-6] - 5/5/1999
Rep King, Peter T. [NY-3] - 5/24/1999	Rep McKeon, Howard P. "Buck" [CA-25] - 5/10/1999
Rep Morella, Constance A. [MD-8] - 5/13/1999	Rep Norwood, Charles W. [GA-10] - 5/24/1999
Rep Peterson, Collin C. [MN-7] - 5/5/1999	Rep Riley, Bob [AL-3] - 5/24/1999
Rep Rogan, James E. [CA-27] - 5/5/1999	Rep Sensenbrenner, James, Jr. [WI-9] - 5/5/1999
Rep Shows, Ronnie [MS-4] - 5/24/1999	Rep Smith, Lamar [TX-21] - 5/5/1999

Rep Spratt, John M., Jr. [SC-5] - 5/10/1999	Rep Stump, Bob [AZ-3] - 5/13/1999
Rep Taylor, Charles H. [NC-11] - 5/10/1999	Rep Taylor, Gene [MS-5] - 5/13/1999
Rep Walden, Greg [OR-2] - 6/22/1999	Rep Weiner, Anthony D. [NY-9] - 5/5/1999
Rep Weller, Jerry [IL-11] - 6/7/1999	Rep Whitfield, Ed [KY-1] - 6/10/1999
Rep Wolf, Frank R. [VA-10] - 5/24/1999	

COMMITTEE(S):

Committee/Subcommittee:	Activity:
House Judiciary	Referral, Markup, Reporting
Subcommittee on Constitution	Referral, Hearings, Markup, Reporting
Senate Judiciary	Referral, In Committee

RELATED BILL DETAILS: (additional related bills may be indentified in Status)

Bill:	Relationship:
H.RES.245	Rule related to H.R.1691 in House
S.2081	Related bill as identified by the House Clerk's office

AMENDMENT(S):

1. [H.AMDT.283](#) to [H.R.1691](#) Pursuant to H. Res. 245, the committee amendment now printed in the bill shall be considered as adopted.

Sponsor: [House Judiciary](#) (introduced 7/15/1999) **Cosponsors** (None)

Committees: House Judiciary

Latest Major Action: 7/15/1999 House amendment agreed to. Status: On agreeing to the Judiciary amendment (A001) Agreed to pursuant to the rule.
2. [H.AMDT.284](#) to [H.R.1691](#) Amendment in the nature of a substitute sought to permit persons to file claims related to the free exercise of religion except for cases dealing with housing and employment discrimination. For these cases, small landlords, religious institutions and small business owners may file claims.

Sponsor: [Rep Nadler, Jerrold](#) [NY-8] (introduced 7/15/1999) **Cosponsors** (None)

Latest Major Action: 7/15/1999 House amendment not agreed to. Status: On agreeing to the Nadler amendment (A002) Failed by the Yeas and Nays: 190 - 234 (Roll no. 298).