

House Bill 757

By: Representatives Tanner of the 9th, Nix of the 69th, Battles of the 15th, Powell of the 171st, Hatchett of the 150th, and others

A BILL TO BE ENTITLED
AN ACT

1 To protect religious freedoms; to amend Chapter 3 of Title 19 of the Official Code of
2 Georgia Annotated, relating to marriage generally, so as to provide that religious officials
3 shall not be required to perform marriage ceremonies in violation of their legal right to free
4 exercise of religion; to amend Chapter 1 of Title 10 of the Official Code of Georgia
5 Annotated, relating to selling and other trade practices, so as to change certain provisions
6 relating to days of rest for employees of business and industry; to protect property owners
7 which are religious institutions against infringement of religious freedom; to define a term;
8 to provide an effective date; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

10 Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage
11 generally, is amended by repealing Code Section 19-3-3.1, relating to a prohibition against
12 same-sex marriage, and enacting a new Code Section 19-3-3.1 to read as follows:

13 19-3-3.1.

14 No minister of the gospel or cleric or religious practitioner ordained or authorized to
15 solemnize marriages according to the usages of the denomination, when acting in his or her
16 official religious capacity, shall be required to solemnize any marriage in violation of his
17 or her right to free exercise of religion under the Constitution of this state or of the United
18 States."
19

SECTION 2.

20 Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other
21 trade practices, is amended by revising Code Section 10-1-573, relating to day of rest for
22 employees of business and industry, as follows:
23

24 "10-1-573.

25 (a) Any business or industry which operates on either of the two rest days (Saturday or
 26 Sunday) and employs those whose habitual day of worship has been chosen by the
 27 employer as a day of work shall make all reasonable accommodations to the religious,
 28 social, and physical needs of such employees so that those employees may enjoy the same
 29 benefits as employees in other occupations.

30 (b) No business or industry shall be required by ordinance or resolution of any county,
 31 municipality, or consolidated government to operate on either of the two rest days
 32 (Saturday or Sunday)."

33 **SECTION 3.**

34 Said chapter is further amended by adding a new article to read as follows:

35 "ARTICLE 35

36 10-1-1000.

37 (a) As used in this Code section, the term 'religious organization' means a church, a
 38 religious school, an association or convention of churches, a convention mission agency,
 39 or an integrated auxiliary of a church or convention or association of churches, when such
 40 entity is qualified as an exempt religious organization under Section 501(c)(3) of the
 41 Internal Revenue Code of 1986, as amended.

42 (b) No religious organization shall be required to rent, lease, or otherwise grant permission
 43 for property to be used by another person for purposes which are objectionable to such
 44 religious organization."

45 **SECTION 4.**

46 This Act shall become effective upon its approval by the Governor or upon its becoming law
 47 without such approval.

48 **SECTION 5.**

49 All laws and parts of laws in conflict with this Act are repealed.