

## **Georgia Religious Freedom Restoration Act (RFRA)**

Every Georgian should be free to worship and exercise their faith without unfair federal, state, or local government intrusion.

The Georgia Religious Freedom Restoration Act (RFRA) protects ordinary people from unfair state and local government intrusion by ***exactly mirroring the bipartisan federal RFRA law*** that protects people from unfair federal government intrusion.

After the federal RFRA law was passed almost unanimously in 1993, the US Supreme Court ruled that federal RFRA only protected people from unfair federal government intrusion – and would not protect people from unfair state or local government intrusion.

Since then, 34 of 50 states have adopted their own state RFRA laws or seen their courts adopt state RFRA protections by judicial ruling to protect people from overreach by state and local governments.

In 1998, Senator Barack Obama voted for the Illinois state RFRA.

In 2016, Georgia passed a state bill that included language dramatically different than federal RFRA; it was vetoed by Governor Nathan Deal.

In 2017, our Attorney General confirmed that without a state RFRA law Georgians do not have true religious protections – allowing state and local governments to infringe on people's faith for any "rational basis".

In 2021, Montana and South Dakota became the 33<sup>rd</sup> and 34<sup>th</sup> states to adopt a state RFRA that closely mirrored federal RFRA.

## **RFRA Explained**

RFRA puts the 1<sup>st</sup> Amendment right of free exercise on the same level as the 1<sup>st</sup> Amendment right of freedom of speech, assembly or press by creating a *balancing test* to weigh a person's right to practice their faith versus the government's power to limit their actions.

Under RFRA, before the government can force a person to violate their faith, it must first show a "compelling government interest" and that it must accomplish its goal in the "least restrictive means possible."

## **RFRA in Real Life**

Courts held that government could not force the Mennonite owners of a Pennsylvania wood products manufacturing company to purchase and provide abortion-inducing drugs and devices for employees.

Philemon Homes, a faith-based halfway house for prisoners, was allowed to continue offering its ministry after the local city council changed the city's zoning law to try to shut down Philemon Homes.

Good Samaritan Arnold Abbott in Florida was arrested for serving meals to homeless people in a public park. State RFRA ultimately acquitted him of all charges and changed the city's ordinance.

Devout Sikh and decorated Army Captain was allowed to serve his country wearing his articles of faith: uncut hair, beard, and turban.

*RFRA does not determine court outcomes but ensures people get a fair day in court when state or local government actions impact their faith.*

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