CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 50

Citations Affected: IC 34-13-9.

Synopsis: Antidiscrimination safeguards. Indicates that the law related to adjudicating a claim or defense that a state or local law, ordinance, or other action substantially burdens the exercise of religion of a person: (1) does not authorize a provider to refuse to offer or provide services, facilities, use of public accommodations, goods, employment, or housing to any member or members of the general public; (2) does not establish a defense to a civil action or criminal prosecution for refusal by a provider to offer or provide services, facilities, use of public accommodations, goods, employment, or housing to any member or members of the general public; and (3) does not negate any rights available under the Constitution of the State of Indiana. Defines the term provider. **(This conference committee report deletes the provisions concerning elections in SB 50, as amended by the house, and inserts provisions related to the law governing adjudicating a claim or defense that a state or local law, ordinance, or other action substantially burdens the exercise of religion of a person.)**

Effective: July 1, 2015.

Adopted	Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 50 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning judicial and administrative proceedings.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 34-13-9-0.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 0.7. This chapter does not:**

(1) authorize a provider to refuse to offer or provide services, facilities, use of public accommodations, goods, employment, or housing to any member or members of the general public on the basis of race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or United States military service;

(2) establish a defense to a civil action or criminal prosecution for refusal by a provider to offer or provide services, facilities, use of public accommodations, goods, employment, or housing to any member or members of the general public on the basis of race, color, religion, ancestry, age, national origin, disability, sex, sexual orientation, gender identity, or United States military service; or

(3) negate any rights available under the Constitution of the

State of Indiana.

SECTION 2. IC 34-13-9-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 7.5. As used in this chapter, "provider" means one (1) or more individuals, partnerships, associations, organizations, limited liability companies, corporations, and other organized groups of persons. The term does not include:**

(1) A church or other nonprofit religious organization or society, including an affiliated school, that is exempt from federal income taxation under 26 U.S.C. 501(a), as amended (excluding any activity that generates unrelated business taxable income (as defined in 26 U.S.C. 512, as amended)).

(2) A rabbi, priest, preacher, minister, pastor, or designee of a church or other nonprofit religious organization or society when the individual is engaged in a religious or affiliated educational function of the church or other nonprofit religious organization or society.

(Reference is to ESB 50 as reprinted March 17, 2015.)

Conference Committee Report
on
Engrossed Senate Bill 50

Signed by:

Senator Young R Michael Chairperson	Representative Frizzell
Senator Broden	Representative Lawson L
Senate Conferees	**House Conferees**