

104TH CONGRESS
2D SESSION

H. R. 3830

To prohibit insurers from canceling or refusing to renew fire insurance policies covering houses of worship and related support structures, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 1996

Mr. FILNER (for himself, Ms. MCKINNEY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. DELLUMS, Mr. DIXON, Mr. FIELDS of Louisiana, Mr. FLAKE, Mr. FORD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Ms. NORTON, Mr. PAYNE of New Jersey, Mr. RUSH, Mr. SCOTT, Mr. THOMPSON, Mr. TOWNS, Ms. WATERS, Mr. WYNN, and Mr. BISHOP) introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit insurers from canceling or refusing to renew fire insurance policies covering houses of worship and related support structures, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Church Insurance Pro-
5 tection Act”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of the Congress that—

3 (1) the recent incidents of arson attacks against
4 churches should be condemned; and

5 (2) houses of worship and their congregations
6 should be held harmless for the recent acts of arson
7 and insurance companies should be prohibited from
8 taking punitive measures against the churches and
9 congregations because of the occurrence of such
10 acts.

11 **SEC. 3. PROHIBITION OF CANCELING OR DECLINING TO**
12 **RENEW FIRE INSURANCE FOR RELIGIOUS**
13 **PROPERTIES.**

14 An insurer may not cancel or decline to renew any
15 coverage for fire insurance for a religious property based
16 on—

17 (1) the race, color, religion, or national origin
18 of the members of the congregation for, members of,
19 or participants in, the religious organization or gath-
20 ering that uses the property (or the predominant
21 number of such members or participants);

22 (2) the status of the property as a religious
23 property;

24 (3) any previous occurrence of arson against
25 the property; or

1 (4) any threat or perceived threat of arson
2 against the property.

3 **SEC. 4. PROHIBITION OF DISCRIMINATION IN PREMIUM**
4 **CHARGES.**

5 An insurer may not require, as a condition of cov-
6 erage for fire insurance for a religious property, that the
7 insured pay a premium or contribution which is greater
8 than the premium or contribution for similar coverage for
9 a similarly situated property, solely on the basis of—

10 (1) the race, color, religion, or national origin
11 of the members of the congregation for, members of,
12 or participants in, the religious organization or gath-
13 ering that uses the property (or the predominant
14 number of such members or participants);

15 (2) the status of the property as a religious
16 property;

17 (3) any previous occurrence of arson against
18 the property; or

19 (4) any threat or perceived threat of arson
20 against the property.

21 **SEC. 5. ENFORCEMENT THROUGH DEPARTMENT OF JUS-**
22 **TICE.**

23 (a) IN GENERAL.—The authority and responsibility
24 for investigating violations of this Act and for enforcing
25 this Act shall be in the Attorney General.

1 (b) COMPLAINTS.—The Attorney General shall pro-
2 vide for persons aggrieved under this Act to file com-
3 plaints with the Attorney General alleging violations of
4 this Act and shall investigate such complaints to deter-
5 mine whether the violations have occurred.

6 (c) MONITORING COMPLIANCE.—The Attorney Gen-
7 eral may, on the Attorney General’s own initiative, take
8 such actions as the Attorney General considers appro-
9 priate to investigate and determine compliance with this
10 Act.

11 **SEC. 6. CIVIL ACTION.**

12 (a) CAUSE OF ACTION.—Whenever the Attorney Gen-
13 eral has reasonable cause to believe that a violation of this
14 Act has occurred and judicial action is necessary to carry
15 out the purposes of this Act, the Attorney General may
16 commence a civil action in any appropriate United States
17 district court.

18 (b) RELIEF.—In addition to other appropriate relief
19 which may be granted in a civil action, the court in a civil
20 action under subsection (a)—

21 (1) may award such preventive relief, including
22 a permanent or temporary injunction, restraining
23 order, or other order against the person responsible
24 for a violation of this Act as is necessary to ensure
25 the full enjoyment of rights granted by this Act (in-

1 including an order of specific performance of any con-
2 tract for insurance coverage); and

3 (2) shall assess a civil penalty against the per-
4 son determined to violate this Act in an amount of—

5 (A) \$50,000, for a first violation;

6 (B) \$250,000, for a second violation; and

7 (C) \$500,000, for a third or subsequent
8 violation.

9 **SEC. 7. DEFINITIONS.**

10 For purposes of this Act, the following definitions
11 shall apply:

12 (1) **COVERAGE FOR FIRE INSURANCE.**—The
13 term “coverage for fire insurance” means any prop-
14 erty and casualty insurance coverage that includes
15 insurance against losses, damages, expenses, and li-
16 abilities caused by fires. The term includes coverage
17 under a policy for only the line of insurance for
18 losses from fires and coverage for such fire losses
19 under a policy that includes the fire line of insurance
20 together with other lines.

21 (2) **INSURER.**—The term “insurer” means any
22 corporation, association, society, order, firm, com-
23 pany, mutual, partnership, individual, aggregation of
24 individuals, or other legal entity that is authorized
25 to transact the business of property or casualty in-

1 surance in any State or that is engaged in a prop-
2 erty or casualty insurance business.

3 (3) RELIGIOUS PROPERTY.—The term “reli-
4 gious property” means any church, synagogue,
5 mosque, or other religious property, and includes
6 any buildings and support structures used primarily
7 for worship and related activities.