

105TH CONGRESS
1ST SESSION

H. R. 1721

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

MAY 22, 1997

Mr. FILNER (for himself, Ms. MCKINNEY, Mr. ACKERMAN, Mr. BISHOP, Ms. CARSON, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DELLUMS, Mr. FROST, Mr. GREEN, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. KUCINICH, Ms. NORTON, Mr. PASTOR, Mr. THOMPSON, Mr. TOWNS, and Mr. WATTS of Oklahoma) 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) any arson attacks against churches should
4 be condemned; and

5 (2) houses of worship and their congregations
6 should be held harmless for any acts of arson and
7 insurance companies should be prohibited from tak-
8 ing punitive measures against the churches and con-
9 gregations because of the occurrence of such acts.

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

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

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

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

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

25 (4) any threat or perceived threat of arson
26 against the property.

1 **SEC. 4. PROHIBITION OF DISCRIMINATION IN PREMIUM**
2 **CHARGES.**

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

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

13 (2) the status of the property as a religious
14 property;

15 (3) any previous occurrence of arson against
16 the property; or

17 (4) any threat or perceived threat of arson
18 against the property.

19 **SEC. 5. ENFORCEMENT THROUGH DEPARTMENT OF JUS-**
20 **TICE.**

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

24 (b) COMPLAINTS.—The Attorney General shall pro-
25 vide for persons aggrieved under this Act to file com-
26 plaints with the Attorney General alleging violations of

1 this Act and shall investigate such complaints to deter-
2 mine whether the violations have occurred.

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

8 **SEC. 6. CIVIL ACTION.**

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

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

18 (1) may award such preventive relief, including
19 a permanent or temporary injunction, restraining
20 order, or other order against the person responsible
21 for a violation of this Act as is necessary to ensure
22 the full enjoyment of rights granted by this Act (in-
23 cluding an order of specific performance of any con-
24 tract for insurance coverage); and

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

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

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

5 (C) \$500,000, for a third or subsequent
6 violation.

7 **SEC. 7. DEFINITIONS.**

8 For purposes of this Act, the following definitions
9 shall apply:

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

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

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

