

2019 General Conference Legislation Under Review

These approved changes will be reviewed by the Judicial Council in April.

Notes on constitutionality are based on Judicial Council Decisions [1377](#) and [1366](#).

Compiled from information publicly available on the [legislative tracking](#) website. New wording is underlined.

Final official language will be available at a later time.

Traditional Plan #1 - Footnote 1 Qualifications for Ministry - Par. 304.3 (Petition 90032)

Summary: Expands the definition of “self-avowed practicing homosexual”

Constitutional

Submitted prior to General Conference:

Amend by addition footnote 1 attached to ¶ 304.3:
 “Self-avowed practicing homosexual” is understood to mean that a person openly acknowledges to a bishop, district superintendent, district committee of ordained ministry, Board of Ordained Ministry, or clergy session that the person is a practicing homosexual; or is living in a same-sex marriage, domestic partnership or civil union, or is a person who publicly states she or he is a practicing homosexual. See Judicial Council Decisions 702, 708, 722, 725, 764, 844, 984, 1020, [1341](#).

Approved at General Conference:

No amendment

Traditional Plan #2 - Episcopal Accountability - Par. 408.3 (Petition 90033)

Summary: Involuntary retirement of bishops - revises votes needed and specifies non-voting members

Unconstitutional - violates Constitution ¶¶ 20 and 58 regarding bishop’s right to fair and due process

Submitted prior to General Conference:

Amend by addition ¶ 408.3.c:
 By a majority vote of those present and voting, the members of the Council of Bishops may place any bishop in the retired relation with or without their consent and irrespective of their age if such a relation is recommended by the council relations committee. The procedures for fair process in administrative hearings shall be followed in any involuntary retirement procedure (¶ 422.5). Written notice also should be given to the chairperson of the administrative review committee (¶ 422.6).

Approved at General Conference:

The Petition is amended as follows:
 ...recommended by the council relations committee. Members of the council relations committee and administrative review committee shall not vote on this matter. The procedures for fair process. . .

Traditional Plan #3 - Episcopal Accountability - Par. 410 (Petition 90034)

Summary: Creates new category of involuntary leave for bishops

Unconstitutional - violates Constitution ¶¶ 20 and 58 regarding bishop's right to fair and due process

Submitted prior to General Conference:

Amend by addition ¶ 410.5:

¶ 410.5 Involuntary Leave of Absence—a) By a majority vote of those present and voting, the members of the Council of Bishops may place any bishop in an involuntary leave status if such a relation is recommended by the council relations committee. The procedures for fair process in administrative hearings shall be followed in any involuntary leave of absence procedure (¶ 422.5). Written notice also should be given to the chairperson of the administrative review committee (¶ 422.6).

b) Involuntary leave of absence shall be approved annually by the Council of Bishops after review and recommendation of the council relations committee.

c) During the period for which the leave is granted, the bishop shall be released from all episcopal responsibilities, and another bishop chosen by the College of Bishops shall preside in the episcopal area. Salary and other benefits may be continued through the Episcopal Fund for a maximum of six months.

Approved at General Conference:

Amend by addition ¶ 410.5:

b) Involuntary leave of absence shall be approved annually by the Council of Bishops after review and recommendation of the council relations committee. Members of the council relations committee and administrative review committee shall not vote on this matter.

Traditional Plan #4 - Episcopal Accountability - Par. 422 (Petition 90035)

Summary: Creates new committees to recommend involuntary status changes for bishops

Unconstitutional - violates Constitution ¶¶ 20 and 58 regarding bishop's right to fair and due process

Submitted prior to General Conference:

Amend by addition ¶ 422:

¶ 422.2. The Council of Bishops is thus the collegial and corporate expression of episcopal leadership in the Church and through the Church into the world. The Church expects the Council of Bishops to speak to the Church and from the Church to the world and to give leadership in the quest for Christian unity and interreligious relationships. The Council of Bishops is also a body in which its individual members are held accountable for their work, both as general superintendents and as presidents and residents in episcopal areas.

¶ 422.5. The Council of Bishops shall establish from its membership a council relations committee of at least three persons to hear requests for involuntary leave of absence, involuntary retirement, as may be referred to it by the Council of Bishops or any seven active bishops.

a) When there is a recommendation for an involuntary status change to be referred to the council relations committee, the council relations committee shall conduct an administrative hearing following the provisions of fair process. The Council of Bishops shall designate the person to present the recommendation to the committee. The respondent shall be given an opportunity to address the recommendation in person, in writing, and with the assistance of a clergy person in full connection, who shall have voice. Once the committee has heard the person designated to represent the recommendation, the respondent, and others as determined by the chairperson of the committee, it shall report its decision to the Council of Bishops. The Council of Bishops may affirm or reverse the decision of the committee. The Council of Bishops shall refer to the council relations committee any bishop who is unwilling to certify that he or she is willing to uphold, enforce, and maintain The Book of Discipline relative to self-avowed practicing homosexuals. When the council relations committee reaches a positive finding of fact that the bishop has not so certified, the council relations committee shall recommend either involuntary leave or involuntary retirement to the Council of Bishops after conducting a Fair Process Hearing.

b) Fair Process Hearings--As a part of the holy covenant that exists within the membership and organization of The United Methodist Church, the following procedures are presented for the protection of the rights of individuals and for the protection of the Church in administrative hearings. The process set forth in this paragraph shall be followed whenever the council relations committee meets to process an administrative request by the Council of Bishops.

Approved at General Conference:

Amend by addition ¶ 422.5 after the following sentence:
The Council of Bishops shall establish from its membership a council relations committee of at least three persons to hear requests for involuntary leave of absence, involuntary retirement, as may be referred to it by the Council of Bishops or any seven active bishops. Members of the council relations committee and administrative review committee shall not have voted on the referral of requests for involuntary leave of absence or involuntary retirement.

- 1) In any administrative proceeding the representative of the Council of Bishops and the respondent (the person against whom involuntary action is directed) shall have a right to be heard before any final action is taken.
- 2) Notice of any hearing shall advise the respondent of the reason for the proposed procedures with sufficient detail to allow the respondent to prepare a response. Notice shall be given not less than twenty days prior to the hearing.
- 3) The respondent shall have a right to be accompanied to any hearing by a clergyperson in full connection, in accordance with the appropriate disciplinary provisions. The clergyperson accompanying the respondent shall have the right to voice.
- 4) In any administrative hearing, under no circumstances shall one party, in the absence of the other party, discuss substantive issues with members of the pending hearing body. Questions of procedure may be raised with the presiding officer of the hearing body.
- 5) The respondent shall have access, at least seven days prior to the hearing, to all records relied upon in the determination of the outcome of the administrative process.
- 6) In the event that a respondent fails to appear for supervisory interviews, refuses mail, refuses to communicate personally with the bishop, or otherwise fails to respond to supervisory requests or requests from official administrative committees, such actions or inactions shall not be used as an excuse to avoid or delay any Church processes, and such processes may continue without the participation of such individual.

¶ 422.6 The Council of Bishops shall establish from its membership an administrative review committee of at least three persons who are not members of the executive committee or the council relations committee. Its only purpose shall be to ensure that the disciplinary procedures for any involuntary action recommended by the council relations committee are properly followed. The entire administrative process leading to the action for change of status of the bishop shall be reviewed by the administrative review committee, and it shall report its findings to the Council of Bishops prior to any action by the Council of Bishops. The administrative review committee shall notify the parties of the review process. The administrative fair process hearing procedures (¶ 422.5) should be followed by the administrative review committee. Prior to its report, if the committee determines that any error has occurred, it may recommend to the appropriate person or body that action be taken promptly to remedy the error, decide the error is harmless, or take other action.

Traditional Plan #5 - Episcopal Responsibilities - Par. 415.6 (Petition 90036)

Summary: Prohibits bishops from commissioning or ordaining self-avowed homosexuals

Constitutional

Submitted prior to General Conference:

Amend by addition ¶ 415.6:

To consecrate bishops; to ordain elders and deacons; to commission deaconesses, home missionaries, and missionaries; and to see that the names of the persons commissioned and consecrated are entered on the journals of the conference and that proper credentials are furnished to these persons. Bishops are prohibited from consecrating bishops who are self-avowed homosexuals, even if they have been duly elected by the jurisdictional or central conference. Bishops are prohibited from commissioning those on the deacon or elder track if the Board of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference. Bishops are prohibited from ordaining deacons or elders if the Board of Ministry has determined the individual is a self-avowed homosexual or has failed to certify it carried out the disciplinarily mandated examination, even if the individual has been recommended by the Board of Ordained Ministry and approved by the clergy session of the annual conference.

Approved at General Conference:

No amendment

Traditional Plan #6 - Composition of Board of Ordained Ministry - Par. 635.1a (Petition 90037)

Summary: Requires Board of Ordained Ministry members to certify adherence to the Discipline

Unconstitutional - violates the principle of legality

Submitted prior to General Conference:

Amend by addition ¶ 635.1.a:

Members shall be nominated by the presiding bishop after consultation with the chairperson of the board, the executive committee, or a committee elected by the board of the previous quadrennium, and with the cabinet. Prior to being nominated for membership on the Board of Ministry by the bishop, any individual must certify that he or she will uphold, enforce, and maintain the Book of Discipline related to commissioning, ordination, and marriage of self-avowed practicing homosexuals. Additionally, the bishop must certify that he or she only has nominated individuals who will uphold, enforce, and maintain the Book of Discipline related to ordination and marriage of self-avowed practicing homosexuals. To ensure adequate board membership . . .

Approved at General Conference:

Amend by addition ¶ 635.1.a:

Members shall be nominated by the presiding bishop after consultation with the chairperson of the board, the executive committee, or a committee elected by the board of the previous quadrennium, and with the cabinet. Prior to being nominated for membership on the Board of Ministry by the bishop, any individual must certify to the bishop that he or she will uphold, enforce, and maintain the Book of Discipline in its entirety, including but not limited to all qualifications for ordination (¶¶304, 330, 335, 336). Additionally, the bishop must certify to the annual conference secretary that he or she only has nominated individuals who will uphold, enforce, and maintain the Book of Discipline in its entirety, including but not limited to the qualifications for ordination (¶¶304, 330, 335, 336). To ensure adequate board membership . . .

Traditional Plan #7 - Full Examination - Par. 635.2h (Petition 90038)

Summary: Requires Board of Ordained Ministry to examine and decline candidates not meeting standards regarding sexuality

Unconstitutional - violates the principle of legality

Submitted prior to General Conference:

Amend by addition ¶635.2.h:
To examine all applicants as to their fitness for the ordained ministry and make full inquiry as to the fitness of the candidate for: (1) annual election as local pastor; (2) election to associate membership; (3) election to provisional membership; and (4) election to full conference membership. The Board of Ministry shall conduct an examination to ascertain whether an individual is a practicing homosexual, including information on social media, as defined by the Book of Discipline. The board shall certify that such an examination has occurred and its results. If it is determined as a matter of fact that an individual is a practicing homosexual, the board shall not recommend the individual to the clergy session of the annual conference for commissioning or ordination.

Approved at General Conference:

No amendment

Traditional Plan #8 - Composition of Board of Ordained Ministry - Par. 806.9 (Petition 90039)

Summary: Requires annual conference certification of nominees and consequences for failure to do so

Unconstitutional - violates the principle of legality

Submitted prior to General Conference:

Amend ¶ 806.9 at its conclusion to state:
Every annual conference shall certify that the bishop has nominated only members of the Board of Ministry who will uphold, enforce, and maintain the Book of Discipline related to ordination and marriage of practicing homosexuals. Failure to do so shall result in The General Council on Finance and Administration withholding all funds from The United Methodist Church and withdrawing the annual conference's ability to use the denominational cross and flame logo.

Approved at General Conference:

No amendment

Traditional Plan #9- Composition of Board of Ordained Ministry - Par. 613.19 (Petition 90040)

Summary: Requires annual conference certification of nominees and consequences for failure to do so

Unconstitutional - violates the principle of legality

Submitted prior to General Conference:

Amend ¶ 613.19 at its conclusion to state:
Every annual conference shall certify that the bishop has nominated only members of the Board of Ministry who will uphold, enforce, and maintain the Book of Discipline related to ordination and marriage of practicing homosexuals. Failure to do so shall result in The General Council on Finance and Administration withholding all funds from The United Methodist Church and withdrawing the annual conference's ability to use the denominational cross and flame logo.

Approved at General Conference:

No amendment

Traditional Plan #11 - Minimum Penalty - Par. 2711.3 (Petition 90042)

Summary: Mandates penalties for clergy convicted of performing same-sex ceremonies

Constitutional

Submitted prior to General Conference:

Amend ¶¶ 2711.3, Penalties as follows.
¶¶ 2711. Power of the Trial Court
3. Penalties - If the Trial Results in Conviction. Further testimony may be heard and arguments by counsel presented regarding what the penalty should be. The trial court shall determine the penalty, which shall require a vote of at least seven members. The trial court shall have the power to remove the respondent from professing membership, terminate the conference membership and/or revoke the credentials of conference membership and/or ordination or consecration of the respondent, suspend the respondent from the exercise of the functions of office, or to fix a lesser penalty. Except, where the conviction is for conducting ceremonies which celebrate homosexual unions, or performing same-sex wedding ceremonies under ¶¶ 2702.1(b) or (d), the trial court does not have the power to and may not fix a penalty less than the following:

a) First (1st) offense – One (1) year’s suspension without pay.
b) Second (2nd) offense - Not less than termination of conference membership and revocation of credentials of licensing, ordination, or consecration.
The penalty fixed by the trial court shall take effect immediately unless otherwise indicated by the trial court.

Approved at General Conference:

No amendment

Traditional Plan #12 - Qualifications for Ministry - Par. 304.5 (Petition 90043)

Summary: Requires Board of Ordained Ministry to examine and not approve candidates not meeting standards regarding sexuality

Constitutional

Submitted prior to General Conference:

Amend ¶¶ 304.5 as follows:
5. In all votes regarding license, ordination, or conference membership, the requirements set forth herein are minimum requirements. Each person voting is expected to vote prayerfully based on personal judgment of the applicant’s gifts, evidence of God’s grace, and promise of future usefulness for the mission of the Church. The District Committee on Ordained Ministry and the Board of Ordained Ministry shall not approve or recommend any person for candidacy, licensing, commissioning, or ordination who does not meet the qualifications of ¶¶ 304.1-3, based on the full examination and thorough inquiry into the person’s fitness by the committee and board (see Judicial Council Decisions 1343 and 1344). The bishop presiding in the clergy session shall rule any such unqualified candidate out of order and not eligible to be acted upon.

Approved at General Conference:

No amendment

Traditional Plan #13 - Complaint Process - Par. 362.1e (Petition 90044)

Summary: Mandates information shared with the complainant

Constitutional

Submitted prior to General Conference:

Amend the complaint process ¶ 362.1e and ¶ 413.3d as follows:

¶ 362.1 e) Referral or Dismissal of a Complaint—Upon receiving a written and signed complaint, the bishop shall, within 90 days, carry out the supervisory response process outlined above. If within 90 days after the receipt of the complaint resolution is not achieved, the bishop shall either:

- (1) Dismiss the complaint as having no basis in law or fact, with the consent of the cabinet giving the reasons therefore in writing, copies of which shall be placed in the clergy person's file and shared with the complainant; or
- (2) Refer the matter to the counsel for the church as a complaint.

¶ 413.3 d) (i) If the supervisory response results in the resolution of the matter, the bishop in charge of the supervisory response and the two episcopacy committee members appointed to the supervisory process (¶ 413.3) shall monitor the fulfillment of the terms of the resolution. If the supervisory response does not result in resolution of the matter, the president or secretary of the College of Bishops may either dismiss the complaint as having no basis in law or fact, with the consent of the College of Bishops and the committee on episcopacy, giving the reasons therefore in writing, copies of which shall be placed in the bishop's file and shared with the complainant, refer the matter to the committee on episcopacy as an administrative complaint pursuant to ¶ 413.3e, or refer the matter to counsel for the Church pursuant to ¶ 2704.1 to prepare a complaint to forward to the committee on investigation.

Approved at General Conference:

No amendment

Traditional Plan #14 - Just Resolution - Par. 2701.5 (Petition 90045)

Summary: Expands just resolution requirements to include statements of harm and commitment not to repeat violations

2nd new sentence unconstitutional - violates Constitution ¶¶ 20 and 58

Submitted prior to General Conference:

Amend Just Resolution in ¶¶ 362.1, 413.3c, 2701.5, 2706.5.c.3 as follows:

¶ 362. Complaint Procedures—

. . . A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right insofar as possible and bringing healing to all the parties. Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the Discipline, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation. . .

¶ 413. Complaints Against Bishops—

3. c) The supervisory response may include a process seeking a just resolution . . . Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the Discipline, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation.

¶ 2701. 5. A Just Resolution in Judicial Proceedings—A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right insofar as possible and bringing healing to all the parties. Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the Discipline, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation. . . .

¶ 2706.5 c) Findings other than reasonable grounds by committee or other actions

(3) Upon recommendation of the counsel for the Church and the counsel for the respondent, the committee may refer the matter to the resident bishop as deemed appropriate for a process seeking a just resolution. . . . Just resolutions shall state all identified harms and how they shall be addressed by the Church and other parties to the complaint. In cases where the respondent acknowledges action(s) that are a clear violation of the provisions of the Discipline, a just resolution shall include, but not be limited to, a commitment not to repeat the action(s) that were a violation. If the resolution results in a change of ministerial status, the disclosure agreement shall not prevent the disciplinary disclosures . . .

Approved at General Conference:

No amendment

Traditional Plan #15 - Just Resolution - Par. 2701.5 (Petition 90046)

Summary: Requires complainant to be party in the just resolution process

Constitutional

Submitted prior to General Conference:

Amend ¶¶ 362.1(c), 413.3(c), 2701.5, and 2706.5(c)3 by adding the same sentence to all four as follows: No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. Also add, the complainant, in ¶¶ 2701.5 and 2706.5(c)3.

¶ 362. Complaint Procedures—1. Ordination and membership in an annual conference in The United Methodist Church is a sacred trust. . .
c) Just Resolution—The supervisory response may include a process that seeks a just resolution . . . A process seeking a just resolution may begin at any time in the supervisory, complaint, or trial process. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including any terms and conditions, shall be signed by the parties and the parties shall agree on any matters to be disclosed to third parties. A just resolution agreed to by all parties shall be a final disposition of the related complaint.

¶ 413. Complaints Against Bishops
3. After receiving a complaint as provided in ¶ 413.2, .
c) The supervisory response may include a process seeking a just resolution . . . No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including terms and conditions, shall be signed by the parties and the parties shall agree on any matters to be disclosed to third parties. Such written statement of resolution shall be given to the person in charge of that stage of the process for further action consistent with the agreement.

¶ 2701.5. A Just Resolution in Judicial Proceedings—A just resolution is one that focuses on repairing any harm to people and communities, achieving real accountability by making things right insofar as possible and bringing healing to all the parties. . . . After the referral of a matter as a judicial complaint from counsel for the Church to the committee on investigation, if a process seeking a just resolution is used, the appropriate persons, including the

Approved at General Conference:

No amendment

counsel for the Church, the complainant, and the counsel for the respondent, should enter into a written agreement outlining such process, including any agreement on confidentiality. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement of resolution, including terms and conditions, shall be signed by the same persons who signed the written agreement outlining the process, and they shall agree on any matters to be disclosed to third parties. If the resolution results in a change of ministerial status, the disclosure agreement shall not prevent the disciplinary disclosures required for possible readmission.

¶ 2706.5. Bill of Charges and Specifications, Deliberations, Vote, and Referral

c) Findings other than reasonable grounds by committee or other actions

(3) Upon recommendation of the counsel for the Church and the counsel for the respondent, the committee may refer the matter to the resident bishop as deemed appropriate for a process seeking a just resolution. The bishop shall institute such a process and may use the assistance of a trained, impartial third party facilitator(s) or mediator(s). Such referral will not constitute a dismissal or double jeopardy under ¶ 2701.5. The appropriate persons, including the counsel for the Church, the complainant, and counsel for the respondent, should enter into a written agreement outlining the process, including any agreements on confidentiality. No matter where in the process a just resolution is achieved, the complainant(s) shall be a party to the resolution process and every effort shall be made to have the complainant(s) agree to the resolution before it may take effect. If resolution is achieved, a written statement, affirming such resolution

Traditional Plan #16 - Church Appeal - Par. 2715.10 (Petition 90047)

Summary: Allows the Church to appeal errors of law to the Judicial Council

Constitutional

Submitted prior to General Conference:

Amend ¶ 2715.10 Appeal Procedures as follows:
¶ 2715. Appeal Procedures—General
10. The Church shall have no right of appeal from findings of fact of the trial court. The Church shall have a right of appeal to the committee on appeals and then to the Judicial Council from findings of the trial court based on egregious errors of Church law or administration that could reasonably have affected the findings of the trial court. When the committee on appeals or the Judicial Council shall find egregious errors of Church law or administration under this part, it may remand the case for a new trial, along with a statement of the grounds of its action. This is not to be double jeopardy. In regard to cases where there is an investigation under ¶ 2702, but no trial is held, egregious errors of Church law or administration may be appealed to the jurisdictional or central conference committee on appeals and then to the Judicial Council by counsel for the Church. The committee on investigation's decision not to certify a bill of charges does not alone constitute an egregious error of Church law or administration. When the committee on appeals or the Judicial Council shall find egregious errors of Church law or administration under this part, it may remand the case for a new hearing, in which event it shall return to the chair of the committee on investigation a statement of the grounds of its action. This is not to be double jeopardy.

Approved at General Conference:

No amendment

Disaffiliation - NEW Par. 2553 (Petition 90066)

Summary: Establishes requirements for churches for leaving the denomination

Unconstitutional - violates ¶ 33

Submitted prior to General Conference:

Amend, effective as of the close of the 2019 General Conference, Chapter Six, Church Property, by adding a new Section VIII. Disaffiliation of Local Churches Over Issues Related to Human Sexuality, then by adding a new ¶ 2553 as follows:

¶ 2553. Disaffiliation of a Local Church over Issues Related to Human Sexuality.

1. Basis - Because of the current deep conflict within The United Methodist Church around issues of human sexuality, a local church shall have a limited right, under the provisions of this paragraph, to disaffiliate from the denomination for reasons of conscience regarding a change in the requirements and provisions of the Book of Discipline related to the practice of homosexuality or the ordination or marriage of self-avowed practicing homosexuals as resolved and adopted by the 2019 General Conference, or the actions or inactions of its annual conference related to these issues which follow.

2. Time Limits - The choice by a local church to disaffiliate with The United Methodist Church under this paragraph shall be made in sufficient time for the process for exiting the denomination to be complete prior to December 31, 2023. The provisions of ¶ 2553 expire on December 31, 2023 and shall not be used after that date.

3. Initial Inquiry to disaffiliate from The United Methodist Church - If the church council of a local church determines that the church wishes to consider disaffiliation from The United Methodist Church under this paragraph, that church council shall submit a request to the district superintendent to begin this process. The district superintendent shall appoint a task force under ¶ 213 for the purpose of making findings and a recommendation to the district superintendent on whether the church will have a viable future within or outside The United Methodist Church. The provisions of ¶ 213.2 and ¶ 213.3 shall not apply. If the local church, as it exists at the time of the assessment, is found to have a viable future, the district superintendent shall call a church conference under ¶ 248 for the sole purpose of deciding whether to disaffiliate from The United Methodist Church under this paragraph, based upon the reasons in ¶ 2553.1. If the local church is found to not have a viable future, the district superintendent shall recommend closure under ¶ 2549, or take other appropriate action, and all property of the local church shall remain with The United Methodist Church according to the provisions of ¶ 2549.

Approved at General Conference:

Amend the main motion by substitution of the minority report as follows:
Adopt Petition #90066 (ADCA, p. 205) with the following changes:
1. Delete what is printed as section 2553.3 in its entirety.
2. In the section listed as section 2553.5, first sentence, replace “the resident bishop” with “the board of trustees.”
3. Delete the first sentence section 2553.5g.
4. Change the final sentence section 2553.5g, by replacing it with the following: “Payment shall occur prior to the effective date of departure.”
5. Delete the entirety of what is printed as sub-section 2553.5c, and re-number the rest accordingly.

Cont.

4. Decision Making Process - The church conference shall be conducted in accordance with ¶ 248 and shall be held within one hundred twenty (120) days after the district superintendent calls for the church conference. In addition to the provisions of ¶ 246.8, special attention shall be made to give broad notice to the full professing membership of the local church regarding the time and place of a church conference called for this purpose and to use all means necessary, including electronic communication where possible, to communicate. The decision to disaffiliate from The United Methodist Church must be approved by a two-thirds (2/3) majority vote of the professing members of the local church present at the church conference.

5. Process following decision to disaffiliate from The United Methodist Church - If the church conference votes to disaffiliate from The United Methodist Church, the terms and conditions for that disaffiliation shall be established by the resident bishop of the applicable annual conference, with the advice of the cabinet, the annual conference treasurer, the annual conference benefits officer, the director of connectional ministries, and the annual conference chancellor. The terms and conditions, including the effective date of disaffiliation, shall be memorialized in a binding Disaffiliation Agreement between the annual conference and the trustees of the local church, acting on behalf of the members. That agreement must be consistent with the following provisions:

a) Standard Terms of the Disaffiliation Agreement. The General Council on Finance and Administration shall develop a standard form for Disaffiliation Agreements under this paragraph to protect The United Methodist Church as set forth in ¶ 807.9. The agreement shall include a recognition of the validity and applicability of ¶ 2501, notwithstanding the release of property therefrom. Annual conferences may develop additional standard terms that are not inconsistent with the standard form of this paragraph.

b) Apportionments. The local church shall pay any unpaid apportionments for the 12 months prior to disaffiliation, as well as an additional 12 months of apportionments.

c) Grants. All grants received by the local church from the annual conference or its ancillary organizations within five (5) years from the date of disaffiliation shall be repaid.

d) Property. A disaffiliating local church shall have the right to retain its real and personal, tangible and intangible property. All transfers of property shall be made prior to disaffiliation. All costs for transfer of title or other legal work shall be borne by the disaffiliating local church.

Cont.

e) Pension Liabilities. The local church shall contribute withdrawal liability in an amount equal to its pro rata share of any aggregate unfunded pension obligations to the annual conference. The General Board of Pension and Health Benefits shall determine the aggregate funding obligations of the annual conference using market factors similar to a commercial annuity provider, from which the annual conference will determine the local church's share.

f) Other Liabilities. The local church shall satisfy all other debts, loans, and liabilities, or assign and transfer them to its new entity, prior to disaffiliation.

g) Payment Terms. The agreement shall specify the terms and conditions of the payment to the annual conference for any sums related to ¶ 2553.5. b, c, and e. The term of payment shall not exceed ten (10) years.

h) Disaffiliating Churches Continuing as Plan Sponsors of the General Board of Pension and Health Benefits Plans. The United Methodist Church believes that a local church disaffiliating under ¶ 2553 shall continue to share common religious bonds and convictions with The United Methodist Church based on shared Wesleyan theology and tradition and Methodist roots, unless the local church expressly resolves to the contrary. As such, a local church disaffiliating under ¶ 2553 shall continue to be eligible to sponsor voluntary employee benefit plans through the General Board of Pension and Health Benefits under ¶ 1504.2, subject to the applicable terms and conditions of the plans.

i) Once the disaffiliating local church has reimbursed the applicable annual conference for all funds due under the agreement, and provided that there are no other outstanding liabilities or claims against The United Methodist Church as a result of the disaffiliation, in consideration of the provisions of this paragraph, the applicable annual conference shall release any claims that it may have under ¶ 2501 and other paragraphs of The Book of Discipline of The United Methodist Church commonly referred to as the trust clause, or under the agreement.

-END-

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