



Broad Religious Exemption Laws are Harmful to LGBT Citizens and the Economy - Oppose SB 41

WHAT THE BILL DOES:

- The bill provides that no individual authorized to solemnize any marriage shall be required to do so and no religious organization shall be required to provide services, accommodations, facilities, goods, or privileges for a purpose related to the solemnization of any marriage if the action would cause the individual or organization to violate a sincerely held religious belief.
- The bill also provides that no liability shall arise from a refusal to solemnize a marriage or provide services, accommodations, facilities, goods, or privileges for a purpose related to the solemnization of any marriage and that the Commonwealth or its political subdivisions shall not take any other action to penalize such individual or organization for such a refusal.

THE FACTS:

- Houses of worship and clergy already have the constitutionally protected freedom to decide which marriages they will and won't perform in their faith traditions.
- Under current law, no church or pastor could be forced to perform a marriage that goes against their religious teaching or beliefs- including, for example, marriages of same-sex couples, interfaith marriages, or marriages of people previously divorced.¹
- Broad religious exemptions open the door for people to claim they have a right to decide which laws they will and won't obey, creating uncertainty for law enforcement and making it difficult for officers to enforce the law.²

WHY WE OPPOSE IT:

- Legal protections already exist for houses of worship and clergy who do not want to solemnize specific marriages. SB 41 is not necessary to protect these groups, as they are already protected.
- Broad religious exemption bills such as SB 41 will result in a troubling range of intended and unintended consequences that may take years to resolve. While we can predict some of the harmful effects of these exemptions, even more troubling is the fact that these vague laws could be used and manipulated in ways that we can't yet foresee.³
- SB 41 could open the floodgates to legal chaos and frivolous lawsuits at taxpayer expense. There is no way to know how courts will interpret this particular exemption.
 - The unintended consequences of this bill may cost Virginia's taxpayers large sums of money, which could be used towards improving our schools or building our economy.

¹ <https://www.lgbtmap.org/file/talking-about-religious-exemptions-laws.pdf>

² <https://www.lgbtmap.org/file/talking-about-religious-exemptions-laws.pdf>

³ <https://www.lgbtmap.org/file/talking-about-religious-exemptions-laws.pdf>