



RELIGIOUS EXEMPTIONS

Constitutional and statutory legislation that guts our existing Religious Freedom Restoration Act (RFRA or Rifra), which has worked for more than a decade, and replaces it with legislation that would allow discrimination based on personal religious belief. Proposed RFRA's would remove the "substantial burden" requirement and override civil rights protections.

In 1999 the Texas Legislature passed Senate Bill 138, which allows a person to bring a claim in court to disregard laws that limit their ability to practice their religion freely. SB 138 was a carefully considered and drafted law that passed with bipartisan support and with the support of diverse stakeholders. The proposed legislation would supersede those existing protections and create an exception that would allow individuals and religious institutions to disregard laws based on religious belief. Existing exemptions to protect municipal regulations on zoning and traffic flow, time limits to bring action under the provision, exemptions for civil rights legislation and protections for the tax-exempt status of religious institutions would be removed.

Facts:

- Arizona and Georgia vetoed similar legislation due to pressure from the business community that was concerned it would negatively affect their ability to attract new business to the state. North Carolina is currently experiencing a negative economic impact for passing similar legislation.
- If Texas is to continue to be an economic powerhouse we must maintain a stable environment that doesn't elevate one narrow religious interpretation over the ability of business to flourish. Businesses seeking to form in or relocate to Texas are looking for an environment that will embrace and celebrate their diverse workforce.
- The existing religious liberty protections that would be superseded by proposed legislation, were passed with the support of the Texas Baptists Christian Life Commission, Baylor University, Liberty Legal Institute, the Texas Historical Commission, The Texas Catholic Conference and the ACLU among others.
- A law that conflicts with personal religious belief, no matter how deeply held, is not a violation of religious liberty.
- Nothing is more vital to Americans than the protection of religious liberty – that's why it's the first thing in the Bill of Rights and is protected by Texas Constitution and statute.
- Texas led the nation in protecting religious liberty when it passed our existing protections in 1999, which have been a model for other states.
- Passing new regulations on religion that allow one narrow religious interpretation to be imposed on the public would damage the freedom that all Texans currently enjoy to practice their faith in public and at home.
- The argument that religious liberty should allow a person to deny service at a place of public accommodation is not new. It was used in the 1960's by businesses wishing to ignore the civil rights act.

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