



“Religious Refusal” Laws

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“Religious Refusal” legislation would allow businesses, state agencies and organizations to refuse to provide services if providing that service conflicts with their “sincerely held religious belief”. This legislation would also create a right of refusal for any business to violate local nondiscrimination laws if the business owner believes that serving a customer whose marriage the business owner dislikes would violate that business owner’s religious beliefs. Goods that are made available to the public should be made available without discrimination based on race, religion, nation of origin, sex, ability, veteran status, sexual orientation, family status, gender identity or gender expression. Texans value the right of any person to work hard and strive for the American dream. Using religion as a weapon to excuse discrimination flies in the face of Texas values.

How to talk about this

- Religious liberty is an organizing principle of American democracy and the birthright of every Texan. That is why our constitution and state laws like the Religious Freedom Restoration Act protect our right to worship freely. Religious liberty does not mean that people are free to opt out of laws they don’t like or to impose their personal religious beliefs on others
- “Religious refusals” allow people to take advantage and claim that their religion gives them the right to ignore laws. It would mean the law no longer applies to everyone in the same way, resulting in special treatment.
- These “religious refusal” laws are aimed at depriving lesbian, gay, bisexual, and transgender Texans full equality under the law. Some proposals create broad rights to opt out of laws for religious reasons, while others insulate a person who discriminates from any legal consequences. The cumulative effect is to authorize discrimination against lesbian, gay, bisexual, and transgender Texans in virtually all aspects of their lives. Whether it’s a gay student seeking counseling services, a lesbian couple obtaining a marriage license from a government employee, or a transgender person needing basic medical care, these bills would authorize unequal treatment.
- Religious refusal laws relegate lesbian, gay, bisexual, and transgender Texans to permanent second-class status under the law.
- Businesses that are open to the public should be open to everyone on the same terms. Nobody should be turned away from a business, refused service by government officials, or evicted from their home, simply because they do not share another persons’ religious belief.
- Lesbian, gay, bisexual, and transgender people are our friends, neighbors, co-workers, and family. They work hard, serve in the military, and pay taxes. When they walk into a business or a government office, they should be treated like anyone else and not turned away.

Facts

- Texas led the nation by passing a carefully balanced protections for religious liberty in 1999. Those protections 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 others¹.

¹ "Witness List." *Texas Legislature Online*. Texas Legislature, 25 Feb. 1999. Web. 14 Nov. 2014. <<http://www.legis.state.tx.us/tlodocs/76R/witlistmtg/html/C5701999022512301.HTM>>.