

Pastor Protection Act: *What other states have done*



In 2015 the Texas legislature passed “The Pastor Protection Act.” The Texas act states that “a religious organization, an organization supervised or controlled by or in connection with a religious organization, an individual employed by a religious organization while acting in the scope of that employment, or a clergy or minister” would not be required to marry, celebrate or provide any services, accommodations, facilities, goods or privileges to a person regarding marriage that would cause the organization or individual to “violate a sincerely held religious belief.” It prohibits the state or any individual

from taking any legal action or discriminating against the organization because of the organization’s beliefs about marriage.

The Texas law has stood without challenge. Link to statute:

<http://www.legis.state.tx.us/tlodocs/84R/billtext/pdf/SB02065F.pdf#navpanes=0>

In 2016 Mississippi enacted HB 1523 a much broader law that protects citizens, public servants, businesses, and religious institutions from government reprisal for operating publicly according to their belief that marriage is reserved for one man and one woman.

Alliance Defending Freedom (ADF) Senior Counsel Kevin Theriot explained, “The sole purpose of this law is to ensure that Mississippians don’t live in fear of losing their careers or their businesses simply for affirming marriage as a husband-wife union.”

The Mississippi law was upheld and the Supreme Court refused the appeal saying the plaintiffs were unable to prove harm.

“Good laws like Mississippi’s protect freedom and harm no one. The court did the right thing in finding that those who have challenged this law haven’t been harmed and, therefore, can’t try to take the law down,” said Alliance Defending Freedom (ADF) Senior Counsel Kevin Theriot. ADF was involved in defending the new law.

Aren’t the problems just in California and New York? NO!

IOWA: In 2016 Iowa’s Civil Rights Commission interpreted the current law in Iowa to mean that churches and pastors could be prosecuted for operating consistent with their church’s doctrines.

MICHIGAN: In February 2018, lawmakers in Michigan asked the Michigan Attorney General to investigate a church’s youth pastor for having a church youth group discussion about sexual identity. The discussion was at the church.

FLORIDA: In February 2018 in Florida, an employee of a Catholic School was terminated from her position as first grade teacher for marrying a same sex partner. All employees had previously been formally instructed by the Diocese that their conduct must comply with the teachings of the Catholic Church including their teaching on marriage or their employment was in jeopardy. Headlines since then include “Not the Right Kind of Catholic” and “Why it Was so Wrong for Catholic School to Fire Miami Teacher.”

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