

Senate File 2052 - Introduced

SENATE FILE 2052

BY MCKINLEY

A BILL FOR

1 An Act providing for exemptions related to the solemnization
2 or validity of a marriage based on sincerely held religious
3 beliefs.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 595.21 Exemptions related to
2 solemnization or recognition of the validity of a marriage.

3 1. An individual, religious or denominational organization,
4 or a charitable or educational organization operated,
5 supervised, or controlled by or connected with a religious or
6 denominational organization, shall not be liable, penalized, or
7 denied benefits under the laws of this state or any political
8 subdivision of this state, including but not limited to
9 laws regarding employment discrimination, housing, public
10 accommodations, licensing, government contracts or grants, or
11 tax-exempt status, for refusing to solemnize any marriage,
12 for refusing to provide services, accommodations, advantages,
13 facilities, goods, or privileges related to the solemnization
14 of any marriage, or for refusing to treat as valid any
15 marriage, if such providing, solemnizing, or treating as valid
16 would cause such individual or organization to violate the
17 sincerely held religious beliefs of the individual or to which
18 the organization subscribes.

19 2. The exemptions provided pursuant to subsection 1 shall
20 not apply if either of the following conditions exists:

21 a. A government employee shall not refuse to assist in the
22 solemnization of any marriage under this section if another
23 government employee is not available and willing to so assist.

24 b. A refusal to provide services, accommodations,
25 advantages, facilities, goods, or privileges related to the
26 solemnization of any marriage shall not be protected under
27 this section if a party to the marriage is unable to obtain
28 any similar services, accommodations, advantages, facilities,
29 goods, or privileges elsewhere, and such inability to obtain
30 such similar services, accommodations, advantages, facilities,
31 goods, or privileges elsewhere constitutes a substantial
32 hardship.

33

EXPLANATION

34 This bill provides exemptions to certain individuals and
35 organizations related to solemnization and recognition of the

1 validity of marriages.

2 The bill provides that an individual, religious or
3 denominational organization, or a charitable or educational
4 organization operated, supervised, or controlled by or
5 connected with a religious or denominational organization,
6 shall not be liable, penalized, or denied benefits under
7 the laws of this state or any political subdivision of this
8 state, including but not limited to laws regarding employment
9 discrimination, housing, public accommodations, licensing,
10 government contracts or grants, or tax-exempt status, for
11 refusing to solemnize any marriage, for refusing to provide
12 services, accommodations, advantages, facilities, goods, or
13 privileges related to the solemnization of any marriage, or for
14 refusing to treat as valid any marriage, if such providing,
15 solemnizing, or treating as valid would cause such individual
16 or organization to violate the sincerely held religious beliefs
17 of the individual or to which the organization subscribes.
18 However, the exemptions do not apply; or in the case in which
19 a government employee refuses to assist in the solemnization
20 of a marriage, if another government employee is not available
21 and willing to so assist if the refusal to provide services,
22 accommodations, advantages, facilities, goods, or privileges
23 related to the solemnization of any marriage results in a party
24 to the marriage being unable to obtain any similar services,
25 accommodations, advantages, facilities, goods, or privileges
26 elsewhere, and this constitutes a substantial hardship.