



Maggie Garrett
Legislative Director

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1310 L Street NW
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February 13, 2016

Representative Timothy Ginter
Chair, House Community
and Family Advancement Committee
77 South High Street
13th Floor
Columbus, OH 43215

Representative Margret Conditt
Vice-Chair, House Community
and Family Advancement Committee
77 South High Street
11th Floor
Columbus, OH 43215

Re: Oppose HB 36, a bill that could allow religion to be used as an excuse to violate state public accommodations laws.

Dear Chair Ginter and Vice-Chair Conditt:

On behalf of its Ohio members and supporters, Americans United for Separation of Church and State, urges you to oppose HB 36 because it is overly broad.

We certainly agree that the state should not and may not force clergy members to perform any marriage ceremony, and that religious bodies, along with their faith leaders, get to decide who may be married in their houses of worship by their clergy. Indeed, the First Amendment already protects this by allowing a rabbi to refuse to marry an inter-faith couple or a church to refuse to host a marriage ceremony in its sanctuary for a divorced person. Unfortunately, HB 36 goes beyond these constitutional protections—it could also allow entities that engage in commercial activities and operate a place of public accommodation¹ to engage in discrimination.

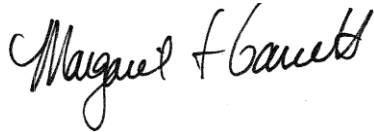
Freedom of religion is a fundamental American value. It means that we are all free to believe or not as we see fit, but it does not mean that entities offering public accommodations can use religion as a justification for refusing certain individuals equal access to that accommodation. There are clear differences between a house of worship that hosts the weddings of its members and wants to keep it that way and a religious society that runs a commercial wedding hall that is

¹ Ohio law prohibits discrimination in a “place of public accommodation,” which is defined as “any inn, restaurant, eating house, barbershop, public conveyance by air, land, or water, theater, store, other place for the sale of merchandise, or any other place of public accommodation or amusement of which the accommodations, advantages, facilities, or privileges are available to the public.” OHIO REV. CODE ANN. § 4112.01.

open to the public to make money. Yet, this bill would allow “religious societies”² to refuse to rent their properties to a couple for their marriage even if the venue is a place of public accommodation and is operated for financial gain.

The Ohio legislature should not pass legislation that allows religion to be used to deny access to public accommodations. Thus, we urge you to oppose HB 36, as written. Thank you for your consideration on this important matter.

Sincerely,

A handwritten signature in black ink that reads "Maggie Garrett". The signature is written in a cursive, flowing style.

Maggie Garrett
Legislative Director

cc: Members of the House Community and Family Advancement Committee

² The bill fails to define “religious society.” The breadth of the organizations that may use this exemption could be quite vast.