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Representative Jon Lundberg
Chair, House Civil Justice Subcommittee
301 6th Avenue North
Suite 20 Legislative Plaza
Nashville, TN 37243

Re: HB 2375– Allowing for Discrimination Against All Tennesseans Who Wish to Marry

Dear Chair Lundberg:

On behalf of its Tennessee members and supporters, Americans United for Separation of Church and State, urges you to oppose HB 2375. We agree that the state should not and, under the First Amendment, may not force clergy, houses of worship, and similar religious organizations to perform or host marriage ceremonies with which they have religious objections. Indeed, the First Amendment already allows, for example, a rabbi to refuse to marry an interfaith couple or a priest to refuse to solemnize a marriage for a divorced person. Unfortunately, HB 2375 goes well beyond the rights already provided in the First Amendment and would permit organizations that operate a place of public accommodation to discriminate against Tennesseans.

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 providing public accommodations can use their religion as a justification for denying the rights of others. Yet, this bill would allow organizations that are operated in connection to a religious organization to refuse to provide any marriage related services even if they are operating a place of public accommodation.

There are clear differences between a house of worship that hosts the weddings of its members and wants keep it that way and a religious organization that runs a commercial wedding hall that is open to the public to make money. HB 2375 would allow, for example, a religiously-affiliated university or other religious organization, including a commercial wedding chapel, that rents a banquet hall or chapel to the general public for weddings, to refuse services on religious grounds to a couple because they are same sex, interfaith, previously divorced or of a particular faith. It is unfair to allow a commercial enterprise to reap the rewards of its business but then escape the nondiscrimination requirements placed on all other commercial businesses simply because it claims a religious affiliation.

The Tennessee legislature should not pass legislation that allows entities that operate a place of public accommodation to discriminate. For the reasons discussed, we urge you to oppose HB 2375. Thank you for your consideration on this important matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amrita Singh".

Amrita Singh
State Legislative Counsel