



Testimony in opposition to H.B. 36 “Ohio Pastor Protection Act”

February 14th 2017

Chairman Rep. Ginter, Vice Chair Rep. Conditt and Ranking member Rep. Boyd, my name is Douglas Berger and I am co-chair of the Secular Coalition for Ohio. I am writing to the committee to give testimony against House Bill 36 - “Ohio Pastor Protection Act”

If passed H.B. 36 would allow anyone ordained in the state of Ohio, to reject any request to solemnize a marriage "that does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs."

It would also give the same "protection" to any “religious society” who does not wish to allow their buildings or property to be used for a marriage ceremony that doesn't conform to its religious beliefs.

The "Ohio Pastor Protection Act" is redundant as ministers, pastors, and priests are covered under the 1st amendment religious clause. None have ever been required nor can they be required to solemnize a marriage that doesn't conform to their religious beliefs. Priests can't ever be required to marry people of the Jewish faith, for example. If a “religious society” building or property is being used for religious purposes then they can't be forced to open it for weddings it feels are against their deeply held religious beliefs. The bill also fails to define a “religious society”.

If a minister refuses to solemnize a marriage for a same-sex couple, they wouldn't be subject to the same business accommodation laws used against bakers who refused to bake a wedding cake for the couple nor would a church or fellowship hall owned by a faith group used for religious purposes.

Much of the testimony from proponents of this bill have claimed a fear of being forced to perform same-sex marriages since the 2015 US Supreme Court decision striking down same-sex marriage bans across the country. None offered actual proof of that happening since the court decision.

Public laws should only be enacted to address an actual issue or concrete problem and not used as a means to “protect” one's religion from something that doesn't exist.

The Secular Coalition for Ohio believes that H.B. 36, if passed, is simply meant as a rebuke to the LGBT community, by religious conservatives in Ohio. While the text of the bill doesn't mention the LGBT community or same-sex marriage, the testimony of the proponents, including Representative Nino Vitale, highlight that intent. H.B. 36 will open the door to discrimination of LGBT people by the religious community using the sword of the state.

The Secular Coalition for Ohio asks you to reject H.B. 36 for the good of all the people of Ohio.