

Chair Hambley, Vice Chair Patton, Ranking Member Brown, and the members of the House Judiciary Committee, my name is Robert Chaloupka, and I am submitting this testimony in support of House Bill 369, the Ohio Fairness Act. I come before you as a husband, a father, a small business owner, a Christian, and a proud Ohioan.

Over the last several years, many of you have already heard a lot about this bill. Everyone who has come before you, as well as the countless others who have called, e-mailed, or written to your offices, has a stake in this legislation, and there's no reason to doubt the sincerity of the positions taken by all sides in this debate.

So often, one hears that, when there are passionate voices on both sides, "the truth lies somewhere in the middle." In many cases, that's true – or, at least, that's where compromises can be found. But, sometimes, you just have to do what's right, and that's the opportunity presented by this bill.

You have likely already heard most of the objections to this bill, and you likely will again soon. For the most part, those opposed to this legislation have made three main arguments: 1) that this represents too much regulation, particularly for small businesses; 2) that it is an infringement on the "religious freedom" of those for whose faith the extension of equality to the LGBTQ community is problematic; and 3) that there is little to know evidence that the good people of Ohio engage in this type of discrimination at all.

Is it "too much regulation" to ask someone NOT to do something? Is it "too much regulation" to prohibit discrimination on the basis of one of the basic elements of who a person is? Is it "too much regulation" to ask Ohio businesses to let the best and brightest talent in this country know that Ohio is open for business and welcomes anyone who's willing to work hard and contribute? I think you know the answer. The Ohio Chamber of Commerce and the 600+ businesses that belong to Ohio Business Competes certainly do.

As to the "religious freedom" argument, this bill does nothing to change the religious exemptions that already exist under Ohio law. No one is being asked to change their beliefs or how they practice their faith, and certainly no one is being persecuted for their beliefs. The First Amendment acts as a shield for Americans' freedom to worship – or not – as they choose; it is not a sword to be used to discriminate and marginalize those with whom you disagree. It is said that the strongest faith is that which is affirmatively chosen, and not merely absorbed through one's upbringing. But, if faith is a choice, and if that choice is given the full protection of our laws, how do we justify telling ourselves that someone born gay is not worthy of at least as much protection?

Finally, it's been said that Ohio already provides a good, welcoming environment for all people, based on the fact that our state is full of good, honorable, folks who would never engage in this kind of discrimination. A recent study by the Human Rights Commission gave a perfect score to 24 of Ohio's largest employers when it came to embracing LGBTQ-inclusive policies, and almost 100 companies had very high scores on the survey. Some will cite this as evidence that there is no need for you to act, that the people of Ohio don't need a new law telling them not to discriminate against LGBTQ people. Further, many of these companies are members of Ohio Business Competes, a coalition of more than 600 companies who support this law. However, it's worth noting that there are more than 200,000 small businesses in Ohio, and while we should be thankful that many large businesses have embraced policies of inclusiveness and diversity, the discrimination that people are experiencing tends to come from interactions with smaller employers and businesses, rather than Nationwide, Abercrombie, Progressive, and the others. We welcome these corporate giants as leaders toward building a more inclusive community in Ohio, but while their efforts may get the most attention, they are not solving the problem by themselves. Otherwise, why would so many business leaders want you to pass this legislation in the first place?

This isn't a bill about imposing onerous government regulations, and it's certainly not a bill about restricting religious freedom. It's a bill about love. It's a bill about showing love to your fellow Ohioans. And I can't think of any place more appropriate for a bill about love than here in "the heart of it all."

For all these reasons, I strongly urge you to pass HB369. Thank you for your time and consideration. I would be happy to answer any questions you may have.