

SSB 6239 - S AMD 15
By Senator Padden

NOT ADOPTED 02/01/2012

1 On page 3, after line 15, insert the following:

2 "(2)(a) The legislature recognizes the preeminent protections of
3 religious freedom in both the federal and state constitutions and that
4 every person enjoys the secured rights of freedom of religious
5 exercise, freedom of conscience, and free speech.

6 Article I, section 11 of the Washington State Constitution
7 provides, "Absolute freedom of conscience in all matters of religious
8 sentiment, belief and worship, shall be guaranteed to every
9 individual, and no one shall be molested or disturbed in person or
10 property on account of religion.

11 Article XXVI of the Washington State Constitution provides that,
12 "perfect toleration of religious sentiment shall be secured and that
13 no inhabitant of this state shall ever be molested in person or
14 property on account of his or her mode of religious worship."

15 The first clause of the First Amendment of the Bill of rights to
16 the United States Constitution provides that "Congress shall make no
17 law respecting an establishment of religion, or prohibiting the free
18 exercise thereof."

19 (b) No judge, justice, or commissioner is required to solemnize any
20 marriage contrary to his or her sincerely-held religious beliefs
21 regarding marriage in violation of his or her right to free exercise
22 of religion guaranteed by the Frist Amendment to the United States
23 Constitution or by the Washington State Constitution. A judge,
24 justice, or commissioner is immune from any civil claim or cause of
25 action based on a refusal to solemnize any such marriage.

26 (c) The provisions of this subsection (2) shall be broadly construed."

27

1 Renumber the remaining subsections consecutively and correct any
2 internal references accordingly.

EFFECT: Recognizing the federal and state Constitutional protections for religious freedom, the amendment ensures that public officials are immune from any civil cause of action based on the person's refusal to solemnize a marriage that conflicts with his or her religious beliefs.

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