6239-S.E AMH SMIN TANG 204

**ESSB 6239** - H AMD **939**

By Representative Smith

**FAILED 02/08/2012**

On page 1, after line 10, insert the following:

"NEW SECTION. **Sec.**  A new section is added to chapter 26.04 RCW to read as follows:

(1) The legislature recognizes that the First Amendment to the United States Constitution applies to the states and provides that "Congress shall make no law...abridging the freedom of speech...." and Article I, section 5 of the Washington state Constitution provides that "Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right."

(2) The legislature finds that pure free speech, that is, mere written or spoken words alone, that lawfully expresses a person's opinions or beliefs regarding marriage between a man and a woman, or between two persons of the same gender, is a constitutionally protected right.

(3) The legislature further finds that such lawful expressions of opinions or beliefs are not based on a view of a person’s sexual orientation but are based on a view of the institution of marriage, regardless of a person’s sexual orientation."

Renumber the remaining sections consecutively, correct any internal references accordingly, and correct the title.

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|  | EFFECT:   Makes the following legislative findings: (1) written or spoken words alone lawfully expressing a person's opinions or beliefs about marriage is a constitutionally protected right; and (2) lawful expressions of opinions or beliefs regarding marriage are not based on a view of a person's sexual orientation but rather are based on a view of the institution of marriage. |

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