6239-S AMS PADD GORR 649

**SSB 6239** - S AMD **15**

By Senator Padden

**NOT ADOPTED 02/01/2012**

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

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

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

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

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

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

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

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

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|  | 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. |

**--- END ---**