

ESSB 6239 - H AMD **939**

By Representative Smith

FAILED 02/08/2012

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

2 "NEW SECTION. Sec. 1. A new section is added to chapter 26.04 RCW
3 to read as follows:

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

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

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

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20 Renumber the remaining sections consecutively, correct any
21 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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