

HJR 96 -- RELIGIOUS LIBERTY

SPONSOR: Curtman

This proposed amendment to the Missouri Constitution prevents the state from imposing any penalty against a religious organization or person who takes action or fails to act because of a sincere religious belief about same sex marriage. Such acts or failures to act include failure to participate in, perform, encourage, service, solemnize, or facilitate. For the purposes of this amendment, the definition of penalty includes to cause any tax, fine or payment to be assessed against, to revoke or deny a tax exemption or deduction, deny accreditation, insurance or social service or healthcare benefit, to deny access to meeting space and recognizing or allowing an administrative charge or civil claim.

A person or religious organization may assert an actual or threatened violation of this section as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, or any other appropriate relief against the state, including an institution of higher education.

This amendment shall not permit any act prohibited by a state or federal criminal law, except for state laws that criminalize nonviolent religious belief, prevent the state from providing marriage license or any other marital entitlement or permit a hospital or other healthcare facility to refuse to treat a marriage as valid with regard to visitation or surrogate healthcare decisions.