

HB 837 -- RELIGIOUS STUDENT ASSOCIATIONS

SPONSOR: Kelly (141)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Higher Education by a vote of 6 to 3. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 7 to 2.

This bill prohibits public institutions of higher learning from taking any action or enforcing any policy that denies a religious student association benefits available to other student associations. The bill also prohibits discrimination against a religious student association based on its requirement that leaders of the association adhere to its sincerely held religious beliefs, religious practice requirements, or religious standards of conduct.

The bill also authorizes aggrieved religious student associations to seek appropriate relief in a judicial or administrative proceeding against a public institution of higher learning that violates the requirements of the bill.

This bill is similar to HB 2074 (2018) and HCS HB 642 (2017).

PROPONENTS: Supporters say that numerous states are adopting similar statutes and that case law indicates that campus groups may form based on ideology or lack thereof and that this bill would allow those groups to select their leadership in a similar manner as secular groups and would not violate any non discrimination policy on the campus.

Testifying for the bill were Representative Kelly; Tyler Coward, Foundation for Individual Rights to Education; 1st Amendment Partnership; Missouri Catholic Conference; and Don Hinkle, the Missouri Baptist Convention.

OPPONENTS: Those who oppose the bill say that this bill lacks a secular purpose and might violate the establishment clause. Opponents pointed out that universities have non discrimination clauses and are prohibited from providing public funds to any organization that would violate that clause. Opponents also indicated that this would be akin to a special treatment for particular groups to allow discrimination.

Testifying against the bill were Jordan Holt; Promoting Equality for All Missourians; and the American Civil Liberties Union of Missouri.