

BILL NUMBER: HB 875				DAT 1/2	TE: 27/2025
COMMITTEE: Emerging Issues				•	
TESTIFYING:	☑ IN SUPPORT OF	☐ IN OPPOSITION TO	☐FOR INFO	RMATIC	NAL PURPOSES
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WITNESS NAME: ARNIE C."HONES"	T-ABE" DIENOFF-STAT	E PUBLIC ADVOCATE	PHONE N	UMBER:	
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The Freedom Principle MO backs this bill. Over the past year, we have seen the intolerance of college campuses towards students of the Jewish, and Catholic religions and students with conservative values. These students of faith, particularly the Jewish students, were harassed by pro-Hamas sympathizers. They were threatened, even physically attacked and the administrations condoned this violence, and in some universities lent safe harbor to these protestors. Catholic students were denied the ability to set informational tables promoting their pro-life message—conservatives at the St. Louis University Campus were denied the ability to form a Young America Foundation (YAF) Chapter because the radical student president at SLU deemed the YAF a hate group. While this bill only pertains to public universities, how many other YAF or conservative organizations are being denied the ability to set up informational tables or conduct recruitment events on campus because these radicalized student associations are supported by their administration? This bill would protect conservative organizations by prohibiting the administration and/or student association organizations from denying them the ability to organize and it allows these organizations to seek legal remedies to fight this discrimination.



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WITNESS NAME: CAMELLIA PETER	SON		PHONE NUME	BER:
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WITNESS NAME: CARTER FORTMA	N		PHONE NUMBER:	
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My name is Carter Fortman and I am a senior at Saint Louis University, During my time here at SLU, I have worked on a number of campaigns and served a term as the Chairman of the Missouri College Republicans. However, I am testifying in my personal capacity as a concerned citizen. My ideological convictions make me a minority on campus. Unfortunately, my experience, and the experience of many CRs, has been negative due to the ambivalent attitudes of the administration and fellow students. The administration has blocked our speakers like Daily Wire host Matt Walsh, forced a student to attend therapy for putting up signs for a CR event, denied a YAF chapter, and ignored vandalism of our pro-life displays. I write this statement as a cautionary tale from the perspective of a student who attends an institution that does not guarantee free speech and has no obligation to protect free speech. This particular bill will probably not affect SLU students since SLU is a private institution. However, it will set an important precedent that the Missouri Legislature recognizes ideological diversity as a necessary piece of a strong education, not just an optional component. Attending SLU has made me a stronger, more capable conservative. Having been exposed to different viewpoints, I can confidently debate and articulate what I believe and why I believe it. Unfortunately, SLU has deprived most students of that same luxury by persecuting minority viewpoints like CRs because our opinions our offensive. With the new President, I worry retaliation against conservative students as a scapegoat could rise, even at public institutions. The Missouri Legislature needs to act to not just protect conservative students, but every student. This bill is simple, but important and necessary. Students at public institutions should have the right to freely exercise their beliefs. That is why I personally support HB 875 and urge the committee to support it.



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WITNESS NAME: CURTIS LEE COLE	PHONE NUMBER: 417-353-8367	
BUSINESS/ORGANIZATION NAME: CHI ALPHA CAMPUS MINISTRIES, U.S.A.	TITLE: CAMPUS ACCI SPECIALIST	ESS
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CITY: SPRINGFIELD	STATE: MO	ZIP: 65804
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Assemblies of God Church o The Assemblies of God has 2 U.S., o and 69.1 million adherents worldwide. • In M God has 445 churches, o with an attendance of 122,000 weekly. First many years, Chi Alpha chapters have repeatedly faced being kickedoff around the country—including righthere in our home state of Missouri. excludedin New York, Maine, Florida, North Dakota, Texas, Iowa, Indian Montana—among many others. Sister organizations were kicked out of andWayne State University, resulting in years of expensive and difficul lowa alone, Sikh, Muslim, Latter-day Saint, and Protestant groups like I were excluded from the campus community. Why? Simply because Ch leaders embrace the group's faith. But that's a common-sense standar should agree with. B. The problem became so bad that the fede regulation three years ago requiring public universities to groups fairly. The rule required equality for religious groups and warn discrimination we've seen nationwide. But recently, the Bider intent to roll back that rule, exposing groups like Chi Alpha to the sam Here are three specific examples where Chi Alpha student University of Virginia, our local chapter was ridiculed at student gove student newspaper for simply holding biblically based views and stan chapter of over 425 active students was threatened with losing its D. At Wenatchee Valley College in Washington state, our I campus because of its association with the national Assemblies of Go	rspective. Chi A come at our meet inize non-al mission experise campus minis. 9 million believe lissouri o The As a bit of National of public univers. We've been threa, Michigan, Was the University of thitigation. At the InterVarsity Christ Alpha asks that of that any reaso ral government is treat religious ed against the kin administration are problems all ts were harmed: rnment meetings dards for leaders club status. ocal group was	ings. We invite alcoholic ences around try arm of rs across the semblies of ContextA. For sity campuses eatened or hington, and I lowa University of stian Fellowship our student nable person ssued a student and of announced its over again. C. At the and in the

beliefs and organize their student groups around those sincerely held beliefs. That means religious groups should be able to have religious leaders. A house divided against itself cannot stand. And a faith led by leaders who reject the faith cannot either.. Some college and university officials. although often well-meaning, are instituting nondiscrimination policies which in fact discriminate against religious groups. They also are limiting religious clubs access to finances andfacilities. These administrators are using their influence and authority toestablish religious policy. In so doing they've College administrators are facing pressure by student governments and overreached.. activists, demanding that religious groups be expelled for their religiousbeliefs. Those administrators need a clear, firm rule like HB-875 that gives them a foundation to push back against voices demanding unconstitutional discrimination against religion. The need is urgent. Students around the country are being harmed byunconstitutional actions of university officials. Students are forbidden toorganize, assemble and utilize their free speech as it applies to the religiousconvictions. legislation is valuable because it's proactive instead of reactive. Instead of waiting for these issues to surface at Mizzou or Missouri State this legislation clearly strengthens the definition of what it means to be religious and free in Missouri. The college campus in Missouri needs to be a place where young adults are encouraged to respect and honor unique religious practices and belief systems and are educated to view diverse groups as inherently constitutional.Curtis ColeCampus Access Specialist, Chi Alpha Campus Ministries, U.S.A.



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WITNESS NAME: GARY HOLLIS			PHONE NUM	IBER:	
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As State Director of Americans for Prosperity Missouri, I would like to comment in support of HB875. The freedom of association is a right that all students regardless of religion or political affiliation should have on campus. Any higher learning institution, especially one that receives taxpayer funds, should adhere to the tenets of free speech, freedom of association, and freedom of press for student journalists. I strongly encourage the legislature to write all of these requirements into statute. We hear from students all the time about discrimination based on their faith or political ideology. This should never happen in Missouri's schools. While the discrimination we most often hear about is toward conservative or Christian students, it doesn't matter to us the ideology or religion. All students, regardless of which faith they practice, or which political ideology the subscribe to must enjoy these rights as they attend Missouri's universities. I feel this issue should be unanimous and bipartisan because the denial of basic freedoms can be extended in any direction. As such, Americans for Prosperity Missouri strongly supports this bill. We intend to include this bill on our public released score card which will have wide distribution statewide after session. Thank you for your time and consideration and the work you do on behalf of the citizens of Missouri.



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The Missouri Catholic Conference supports HB 875, a bill intended to provide openaccess to campus facilities for religious student groups. America is a pluralistic society where people of various faith traditions live alongsideone another in a state of respectful harmony. In such a pluralistic society, there shouldbe space for on-campus religious groups to operate freely and in accord with their faithtradition, be that Christian, Jewish, Muslim, Buddhist, or atheist. This is especially so inthe university setting, where the free exchange of ideas is encouraged as a means ofseeking the truth.In recent years, religious groups have been denied access to on-campus facilities andmeans of communication on some college and university campuses because they asktheir membership, and in particular those in leadership, to adhere to a religious systemof belief or manner of behavior. From the perspective of the religious groups, the denialof access to campus facilities is unjust and represents discrimination based upon thetheir sincerely held religious beliefs. On the typical American university or collegecampus, certain political, social, and moral views will be less popular, but they shouldn'tbe excluded altogether because they may be in the minority.lt isn't deemed unjust discrimination for a women's acapella singing group or sorority tolimit its membership to women. It shouldn't be deemed unjust discrimination for a Muslim or Christian campus group to ask those seeking a leadership position to sign astatement of faith or belief. Preserving the distinct denominational and religious character of campus religious groups by permitting them to operate in accord with theirfaith tradition increases the diversity of the university community; it does not diminish it.On-campus religious groups provide benefits to the university community in their acts of charity and service to the wider community, as well as by providing a safe space forstudents seeking a place to worship and practice their faith. A pluralistic society likeours should permit on-campus religious groups space to operate freely, space whichacknowledges these aspects: (1) respect for freedom of conscience as a prime expression of human dignity; (2) toleration for religion and religious teachings, especially when they are seen as countercultural; (3) civility; (4) a respect for the truthand a common desire to search for objective truth concerning the dignity of the humanperson and the common good of society; and, (5) a respect for healthy pluralism.HB 875 would provide on-campus religious groups the space to operate consistent withtheir faith tradition and beliefs. The MCC urges this committee to support HB 875.



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Please support legislation to protect the First Amendment rights for all citizens involved in organizations designated with religious purposes, ensuring their freedom to require their leaders of these organizations to adhere to the beliefs/lifestyles of the various organizations (without penalty).



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January 27, 2025Hon. Brad Christ, ChairHouse Emerging Issues Committee Missouri House of Representatives SUBJECT: HB 875 Dear Chairman Christ & Members of the Committee: My name is Lance Kinzer, and I am the Policy Director for 1st Amendment Partnership where we are privileged to work with some of the nation's largest faith communities with respect to their common commitment to First Amendment freedoms. Across the country, public universities have attempted to prohibit student organizations from requiring that students who wish to lead a student club actually share that club's beliefs. Universities have almost exclusively enforced such limitations against belief-based groups, but not against other groups with selective leadership criteria, like sororities and fraternities. Unfortunately, as happened in nearby lowa before they passed a protective statute, this often results in divisive and expensive litigation between students and their own universities, Indeed, in lowa the taxpayers ended up bearing the cost of an almost \$2 million dollar judgement due to discrimination against faith-based groups by the University of Iowa. In that instance the United States Court of Appeal for the Eight Circuit (the Circuit Court in which Missouri is located) ruled in favor of the student organizations because: "Employees of the University of Iowa targeted religious student organizations..." and because "There is no dispute that the University of lowa created a limited public forum by granting RSOs official recognition and access to a variety of benefits. See BLinC II, 991 F.3d at 981. And when a university does, it may restrict access to that limited public forum so long as the "access barrier [is] reasonable and viewpoint neutral." Martinez, 561 U.S. at 679. "If a state university creates a limited public forum for speech, it may not 'discriminate against speech on the basis of its viewpoint." Gerlich, 861 F.3d at 704-05." InterVaristy Christian Fellowship/USA v. University of Iowa, No. 19-3389 (8th Cir. 2021) Even when student groups win in court, much of the harm to the educational experience of the impacted students is already done. No judicial remedy can adequately address the harms that universities inflict when they target student organizations, and thus their members, based upon their religious beliefs. HB 875 is designed to prevent such litigation by providing a clear legal standard that simply preserves the right of belief-based student groups to choose leaders who agree with their purpose and mission. It is commonplace for belief-based organizations to require that their leaders affirm and live consistently with the principles around which the group was formed. For decades, the right of student organizations to do just this was clear as a matter of constitutional law. A long line of United States Supreme Court cases held: that student groups can't be denied recognition by a public university merely because of their beliefs (Healy v. James, 1972); that belief-based student groups must be provided access to facilities under the same standards as other groups (Widmar v. Vincent, 1981), and; that student activity fee funds cannot be withheld from a group merely because they promote or manifest a particular belief system (Rosenberger v. University of Virginia, 1995). The Widmar case is worthy of special mention because it occurred in Missouri. In that case, the U.S.

Supreme Court ruled 8-1 in favor of student equal access on the UMKC campus. The Court held that religious student groups at all public universities must be afforded equal access to meeting space. without discrimination against the religious content of their speech. The State's interest in "strict separation" of church and state was held not to justify the denial of student freedom of speech, association and free exercise of religion. Unfortunately, in more recent years many universities have attempted to take advantage of an ambiguity in the case law created by another US Supreme Court case, Christian Legal Society v. Martinez, (2010). That case dealt with the very uncommon situation where a university adopts a policy that says student groups cannot have any standards whatsoever for who may serve as their leaders. For obvious reasons, such a standard is unworkable and so almost no university has adopted and applied a true "all-comers" policy. But attempts by universities to expand the scope of Martinez, have resulted in needless litigation that harms the very students that universities exist to serve. Students at Missouri's public universities should never be forced to litigate against their own schools in order to exercise basic constitutional rights. Fortunately, the Martinez case itself was clear that universities and state legislatures are free to adopt policies that safeguard the right of belief-based student organizations to choose leaders who agree with the group's mission and beliefs. Nineteen states have already passed laws that provide this kind of protection to students attending public colleges and universities. These include Missouri's neighbors in Iowa, Kansas, Oklahoma, Arkansas, Tennessee and Kentucky. Increasingly, support for such legislation has been bipartisan. Indeed, last year similar legislation passed in New Hampshire with unanimous support in the State Senate, and with significant bi-partisan support in the House. In 2022 in Indiana similar protective legislation passed with unanimous support in both legislative chambers. Moreover, Louisiana Governor John Bell Edwards (D), signed such protections into law in 2018. The kind of protection offered to belief-based student organizations by HB 875 is commonplace in analogous provisions of both federal and state law. The basic reasoning of the U.S. Supreme Court in the Widmar case referenced above was statutorily codified for public secondary schools in 1984 when Congress adopted the Equal Access Act, 20 U.S.C. 4071, which protects the right of public high school students to develop associations based on shared values and core convictions. The U.S. Supreme Court upheld the Equal Access Act in a 9-0 decision in Westside Community Schools v. Mergens, (1990). In that opinion, the Court was clear that in granting equal access for student associations to use school facilities, the state does not establish religion (nor endorse any viewpoint an organization may hold) it merely upholds freedom. HB 875 extends this basic idea, codified for public secondary schools for the last 40 years under the Equal Access Act, to public university campuses in Missouri. In another analogous context, federal and state nondiscrimination law both typically recognize the right of religious organizations to choose leaders on the basis of their religious beliefs. At the federal level, by way of example, Title VII explicitly provides that religious associations may use religious criteria in hiring decisions. In three separate provisions, it exempts religious associations from its general provisions on religious discrimination:1) 42. U.S.C. 2000e-1(a) (Act does not apply to a religious association with respect to employment of an individual to perform work connected with carrying on the associations' activities); 2) 42 U.S.C. 2000e-2(e)2) (Act does not apply to a religious educational institution with respect the employment of employees that share that institutions religious convictions, where the institution is directed toward the propagation of a particular religion); 3) 42 U.S.C. 2000e-2(e) (1) (Any employer may hire on the basis of religion where religion is a bona fide occupational qualification). These accommodations were upheld by the U.S. Supreme Court in Corporation of Presiding Bishop v. Amos (1987). Moreover, in Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC (2012), the Court unanimously rejected the argument that federal nondiscrimination laws could be used to trump religious association leadership decisions. As Justice Alito and Justice Kagan stressed, while nondiscrimination laws are "undoubtably important", "religious groups are the archetype of associations formed for expressive purposes, and their fundamental rights surely include the freedom to choose who is qualified to serve as a voice for their faith." This same basic point was more recently affirmed by the Court in Our Lady of Guadalupe School v. Morrissey-Berru (2020).HB 875, merely seeks to codify these same kind of common sense accommodations for belief based student organizations at public colleges and universities. Such institutions should welcome diverse student groups as part of vibrant campus life. In 2023 this same premise was reiterate by the U.S. Court of Appeals for the Ninth Circuit is Fellowship of Christian Athletes v. San Jose Unified School District. In that case the Court noted that its reasoning in favor of a high school student club would apply equally to a college student association and that, "Anti-discrimination laws and policies serve undeniably admirable goals, but when those goals collide with the protections of the Constitution, they must yield—no matter how well-intentioned. 303 Creative LLC v. Elenis, 143 S. Ct. 2298, 2315 (2023) ("When a state public accommodations law and the Constitution collide, there can be no question which must prevail." (citing U.S. CONST., Art. VI, cl. 2)). Even if the views held by FCA may be considered to be out-of-date by many, the First Amendment "counsel[s] mutual respect and tolerance . . . for religious and non-religious views alike." Kennedy, 142 S. Ct. at 2416."By creating a clear

standard, HB 1518 promotes the important goal of pluralism, avoids needless litigation, and makes it certain that university administrators cannot decide who is entitled to recognition as a student organization based upon which beliefs those administrators favor or disfavor. Respectfully, Lance Y. KinzerDirector of Policy & Government Relations 1st Amendment Partnership



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Chair Christ, members of the Committee, thank you for the opportunity to offer testimony on HB 875. My name is Logan Spena. I am an attorney with Alliance Defending Freedom's Center for Academic Freedom, which defends the constitutional rights of students, teachers, and professors at America's schools and universities. This work frequently includes defending student groups from burdensome and unconstitutional restrictions on their freedom of association—a problem that HB 875 would greatly ameliorate within the State of Missouri. We urge the Committee to approve this legislation for two reasons.I. HB 875 protects students."Among the rights protected by the First Amendment is the right of individuals to associate to further their personal beliefs." Healy v. James, 408 U.S. 169, 181 (1972). That freedom presumes a group's ability to control its composition to preserve "the group's ability to advocate public or private viewpoints," which may include requiring its leaders to commit to furthering the group's mission, agree with the group's organizing beliefs, and comply with the group's standards of conduct. Boy Scouts of America v. Dale, 530 U.S. 640, 648 (2000). This freedom extends to public university campuses. See Healy, 408 U.S. at 180-84. Unfortunately, in Christian Legal Society v. Martinez, the Supreme Court held that universities may enforce "all comers" policies on student groups, permitting universities to deny recognition to groups that assert their constitutional right to require their leaders to comply with standards of belief or conduct. See 561 U.S. 661, 694-697. The Court reached this conclusion through a specific legal error: applying a standard designed to evaluate restrictions on speech (the "limited public forum" rule) to associational conduct. Id. at 680. Under the free speech analysis the Court applied, the government's action is constitutional so long as it is "reasonable and viewpoint neutral." Id. at 679.This holding is erroneous because direct regulations of associational conduct—including conduct the Court has previously held protected in the university setting—can be easily drafted in viewpoint-neutral terms. For example, in Healy v. James, the Supreme Court held the university could not refuse to recognize a student group because of its affiliation with the national Students for a Democratic Society organization. 408 U.S. at 185-87. But, under Martinez's rule, a university could accomplish the same goal by simply banning student groups from having national affiliations. The student government at the University at Buffalo did just that to ADF's client, Young Americans for Freedom and, relying on Martinez, the district court dismissed their case last month. See Univ. at Buffalo Young Americans for Freedom v. Univ. at Buffalo Student Ass'n Inc., No. 23-CV-480-LJV, 2024 WL 5119779, at *19 (W.D.N.Y. Dec. 15, 2024).HB 875 protects students from one of the consequences of this legal error. It protects the core practical component of freedom of association—defining the terms of leadership of the association—by stopping officials from taking adverse action against student groups for exercising that fundamental freedom.II. HB 875 protects Missouri's colleges and universities. HB 875 is also good for Missouri's colleges and universities because it steers them from liability. A key limitation to Martinez is that its reasoning only applies to

true "all comers" policies. See Martinez, 561 U.S. at 694. Under a true "all comers" policy, no group is allowed to limit its leadership based on any criteria related to the purpose of the group. In reality, few universities have (and few students want) such a policy—they want some groups to be able to organize around certain ideas, identities, or objectives and to require group leaders to adhere to standards designed to preserve the group's purpose. Federal courts, including the Eighth Circuit Court of Appeals, have held that schools cannot take action against some groups that limit their leadership while permitting other groups to do so and have allowed claims for damages to proceed against officials in such cases. See Business Leaders in Christ v. Univ. of Iowa, 991 F.3d 969, 985-86 (8th Cir. 2021) (denying qualified immunity). ADF has secured monetary settlements in several cases involving the same kinds of adverse action against student groups that HB 875 prohibits. See, e.g., https://bit.ly/3PPoVWj and https://bit.ly/4awAfjG and https://bit.ly/4azYJII .lf enacted, HB 875 would protect the rights of students and the interests of Missouri's colleges and universities, not only by steering them away from liability, but also by making Missouri a leader in protecting a campus environment that produces "leaders trained through wide exposure to that robust exchange of ideas which discovers truth." Keyishian v. Bd. of Regents of Univ. of State of N. Y., 385 U.S. 589, 603 (1967). We urge the Committee to approve the bill.



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January 27, 2025Chairman Brad ChristCommittee on Emerging IssuesMO House of Representatives201 W Capitol Ave., Rm. 207-BJefferson City, Missouri 65101Re: Hearing on HB 875 regarding beliefbased student associations, on January 27, 2025, at 4:45 p.m.Dear Chairman Christ and Members of the Committee:Cru (previously named Campus Crusade for Christ) supports HB 875. As a senior legal counsel for Cru, I write today to offer Cru's perspective as an organization with many religious student chapters all over the country. In Missouri alone, Cru has had thousands of students involved in our chapters at public universities and colleges over the years, providing support and bringing depth to their college experience. Cru has long respected the campus environment as a place where students can have robust discussion and hear and dialogue about diverse opinions and perspectives on life and learning. Religious groups contribute to campus life at universities in important ways. They help meet students' spiritual needs, provide needed emotional support, and regularly participate in service activities on campus and in the community. Cru supports nondiscrimination policies and welcomes any student to participate in and become a member of its chapters. Yet, for religious groups to authentically pursue their purposes, they must be allowed to be religious by ensuring that their leaders can authentically teach and live out the faiths they represent. We appreciate that this bill focuses on protecting leadership selection. Every organization expects its leaders to agree with and pursue its goals, and its leaders are tasked with carrying out the organization's mission. Leadership qualifications are often especially important for religious groups. For many religious adherents, religious understanding and the ability to teach religious tenets and practices involves more than intellect and knowledge; it also involves religious belief and experience. Prohibiting religious leadership criteria that is intended to preserve the religious mission of the religious student organization therefore leads to fundamental unfairness, and results in discrimination against religious groups, rather than preventing it. No group should be forced to choose between following its faith and losing student organization status or compromising the integrity of its religious identity in order to remain on campus. Diversity is beautiful and essential on the college campus, including ideological and religious diversity. HB 875 will help to preserve diversity on Missouri campuses by allowing religious groups to be religious, thereby contributing to dialogue, tolerance, and understanding of perspectives different from one's own. The principles underlying HB 875 are also consistent with Supreme Court precedent. The Supreme Court has long recognized the importance of religious groups not being treated differently because they are religious. See, e.g., Widmar v. Vincent, 454 U.S. 263 (1981); Rosenberger v. Rector and Visitors of the University of Virginia, 515 U.S. 819 (1995); Board of Regents of the University of Wisconsin System v. Southworth, 529 U.S. 217 (2000); Trinity Lutheran Church of Columbia, Inc. v. Comer, 137 S. Ct. 2012, 2019-2021 (2017). The Supreme Court made clear in both Trinity Lutheran, 137 S.Ct. at 2021, and in Espinoza v. Montana Dep't of Revenue, 140 S. Ct. 2246

(2020), that government policies and laws may not "impose special disabilities on the basis of religious status." Espinoza, 140 S.Ct. at 2254. The Espinoza court further clarified that the government may not disqualify "otherwise eligible recipients from a public benefit solely because of their religious character." Id. The benefits of being officially recognized as a student organization on a public university are significant. It is in the government's interest to ensure that religious groups are given the same opportunities given to other student organizations. In fact, it is particularly important to preserve the internal religious autonomy of religious groups so that the government is not entangling itself in religious affairs. Our Lady of Guadalupe Sch. v. Morrissey-Berru, 140 S. Ct. 2049, 2060 (2020); see also Hosanna-Tabor Evangelical Lutheran Church & Sch. v. EEOC, 132 S. Ct. 694 (2012). The Eighth Circuit stated that it is clearly established law that it violates First Amendment law when a public university derecognizes religious student groups because they have religious leadership requirements, while treating other groups differently. InterVarsity Christian Fellowship/USA v. University of Iowa, 5 F.4th 855 (8th Cir. 2021). The University of Iowa had deregistered almost every religious group on their campus, including Sikh, Muslim, Protestant, and more, simply due to their requirement that their leaders agree with their religious beliefs. Other circuit courts have also emphasized the importance of First Amendment rights for religious student groups. For example, just last year the Ninth Circuit, in Fellowship of Christian Athletes, et al. v. San Jose Unified School District Board of Education, 84 F.4th 664, 672 (9th Cir. 2023) (En Banc), found that a school district did not apply its policy fairly to religious groups, noting that it specifically penalized a group based on its religious beliefs. A district court in the Sixth Circuit also recently found that Wayne State University applied its policy inconsistently and acted unconstitutionally when it derecognized a religious group because of its leadership standards. InterVarsity Christian Fellowship/USA v. Bd. of Governors of Wayne State Univ., 534 F. Supp. 3d 785 (E.D. Mich. 2021). In addition, both the Second and the Seventh Circuits have long upheld the right of religious student groups to have religious leadership requirements. See, e.g., Christian Legal Society v. Walker, 453 F.3d 853 (7th Cir. 2006); Hsu v. Roslyn Union Free Sch. Dist., 85 F.3d 839, 856-62 (2d Cir. 1996). Nevertheless, challenges continue for religious students all over the country who are just seeking authentic communities of faith where they can find belonging and practice their religious traditions. Student faith communities provide significant help for many students to find emotional and mental health and pursue life balance, so it is beneficial for colleges to support the presence of healthy student organizations. Yet students in many religious organizations all over the country continue to have personal stories of their organizations being treated differently. These challenges rarely result in formal court proceedings, but are extremely disruptive to students' college experiences. Cru Chapters have faced such challenges, both along the coasts and in the heartland of this nation. Cru has found that when universities target religious groups and treat them as suspicious because they expect leaders to agree with their beliefs, it greatly harms those student associations, causing them to lose momentum, the credibility that an official status brings, and the opportunity to serve the campus' needs. It can be difficult to recover and often takes years to rebuild. In addition, when resolution does occur, it can feel ambiguous because students often don't know if they have achieved a temporary or a permanent fix. Students may then have anxiety each time they seek to register their group, wondering if their common sense desire to have spiritually qualified leaders will be flagged or seen as problematic next time. Cru faced a challenge in 2016 at Southeast Missouri State University, when the Student Government passed a new nondiscrimination policy that applied to all leadership selection, but provided an exception for the Greek System as to gender. This meant that most groups could require agreement with their purposes and beliefs, but religious groups could not do so because their purposes and beliefs were framed around religion, a protected category. Although the policy uniquely disadvantaged religious student organizations, the Student Government rejected an amendment that would have addressed this unequal treatment of religious groups. After several religious groups communicated their concern to the university, they were granted "temporary University recognition" for the fall of 2016. The Student Government did eventually resolve the problem, but the long and confusing process was disruptive to students' ability to focus on being caring and supportive communities, the very thing that most students are looking for in religious student organizations. Cru believes that the leadership selection principle at the heart of HB 875 is important for all religious faiths. Diverse religious groups are in agreement that protecting religious groups is crucial to preserve religious diversity and expression—including many Jewish, Christian, Muslim, and Catholic groups, among others. See, e.g., Slugh, Howard, "Religious Groups Led by Co-Religionists-It Shouldn't Be Controversial," National Review, Nov 23, 2018. See also Letter of Support for the Equal Campus Access Act of 2023, March 13, 2023, available here (signed by 34 diverse organizations in favor of a proposed federal bill). State legislation upholding student speech and association rights will help to ensure that religious student organizations are treated fairly at Missouri schools. Please act to protect religious students in Missouri, preserving their ability to form and find authentic faith-based communities where they can belong, live out their various faiths, and contribute to the rich diversity of viewpoints on the college campus.Sincerely,/s/ Robert C. GleasonRobert C. GleasonSenior Legal CounselCru—General

Counsel's OfficeChris.Gleason@cru.org



WITNESS APPEARANCE FORM

BILL NUMBER: HB 875				DA ⁻ 1/2	TE: 27/2025
COMMITTEE: Emerging Issues				•	
TESTIFYING:	☑IN SUPPORT OF	☐ IN OPPOSITION TO	□FOR	INFORMATIO	NAL PURPOSES
		WITNESS NAME			
BUSINESS/ORG	ANIZATION:				
WITNESS NAME: STEVEN MCFARL	AND			HONE NUMBER: 03-894-1041	
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Christian Legal Society (CLS) supports HB 875, which will provide much needed protection for the ability of religious students to meet on college/university campuses. By passing HB 875, the Legislature will conserve taxpayer dollars by preventing costly litigation that has resulted in other states when public universities adopted policies to exclude religious student groups because the groups require their leaders to share their core religious beliefs. This problem has arisen on many college campuses nationwide and, in 2016, at a public university in Missouri.Referenced in this statement are actual letters from university officials or student government representatives to religious groups threatening to exclude religious groups from campus because of the religious groups' requirement that their leaders agree with the groups' religious beliefs. These letters exemplify the problem that HB 875 will prevent in Missouri. I respectfully request that this testimony be included in the record for the hearing on HB 875 before the House Committee on Emerging Issues scheduled for January 27, 2025. As this testimony will explain: HB 875 is a commonsense measure to protect religious students who wish to meet on Missouri college campuses. • HB 875 allows Missouri public universities to maintain whatever policies they choose so long as their policies permit religious student organizations to choose their leaders according to their religious beliefs. • HB 875 conserves scarce tax dollars by preventing costly litigation against colleges that adopt policies that exclude religious groups. • HB 875 would add Missouri to the expanding list of states - Alabama, Arizona, Arkansas, Idaho, Iowa, Kansas, Kentucky, Louisiana, Montana, North Carolina, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, and Virginia – that have enacted similar protections for religious or belief-based student groups. (Attachment AA lists the key provisions of these states' laws.)I. For Four Decades, Christian Legal Society Has Defended Religious Student Organizations' Access to College Campuses.CLS is a national association of Christian attorneys, law students, and law professors. CLS has attorney chapters located in cities throughout the U.S., including St. Louis and Kansas City. CLS has student chapters at law schools nationwide, including at the University of Missouri - Kansas City, University of Missouri - Columbia, and Washington University. CLS law student chapters typically are small groups of students who meet for weekly prayer, Bible study, and worship at a time and place convenient to the students. All students are welcome at CLS meetings. As Christian churches have done for nearly two millennia, CLS requires its leaders to agree with a statement of faith, signifying agreement with the traditional Christian beliefs that define CLS.CLS has long believed that pluralism, essential to a free society, prospers only when the First Amendment rights of all Americans are protected regardless of the current popularity of their speech or religious beliefs. For that reason, CLS was instrumental in the passage of the federal Equal Access Act of 1984, 20 U.S.C. §§ 4071 et seq., that protects the right of all students, including religious student groups and LGBT student groups, to meet for "religious, political, philosophical or other" speech on public secondary

school campuses. Christian Legal Society's religious liberty advocacy arm, the Center for Law & Religious Freedom, has worked for over forty years to secure equal access for religious student groups in the public education context, including higher education. Its staff has testified twice before the Subcommittee on the Constitution and Civil Justice of the Judiciary Committee of the United States House of Representatives on the issue of protecting religious student organizations on college campuses. II. Religious Student Associations Need the Protection that HB 875 Will Provide.HB 875 is a commonsense measure intended to protect religious student associations' meetings on college campuses by prohibiting public college administrators from denying them meeting space because a religious student association requires its leaders or members to: adhere to the association's sincerely held religious beliefs; comply with the association's sincere religious practice requirements; comply with the association's sincere religious standards of conduct; or be committed to furthering the association's religious mission.Of course, it is common sense - and basic religious freedom - for a religious association to expect its leaders to agree with the association's religious beliefs, practices, standards of conduct, and mission. It should be common ground that government officials, including college administrators, should not interfere with religious associations' religious beliefs, practices, standards of conduct, or mission. Unfortunately, this is a recurrent problem on many college campuses across the country, from California to Idaho, from Oklahoma to Ohio. HB 875 would prevent such problems from recurring in Missouri by protecting Missouri students' basic religious freedom. In so doing, Missouri would join a growing list of states that have adopted similar protections for religious student associations.A. In its landmark decision in Widmar v. Vincent, the U.S. Supreme Court held that the University of Missouri - Kansas City could not condition campus access on religious groups' promise not to engage in religious speech. In the late 1970s, some university administrators began to claim that the Establishment Clause would be violated if religious student groups were allowed to meet in empty classrooms to discuss their religious beliefs on the same basis as other student groups were allowed to meet to discuss their political, social, or philosophical beliefs. The administrators claimed that merely providing heat and light in these unused classrooms gave impermissible financial support to the students' religious beliefs, even though free heat and light were provided to all student groups. The administrators also claimed that college students were "impressionable" and would believe that the university endorsed religious student groups' beliefs, despite the fact that hundreds of student groups with diverse and contradictory ideological beliefs were allowed to meet. In the landmark case of Widmar v. Vincent, the Supreme Court rejected these arguments by the University of Missouri - Kansas City. In an 8-1 ruling, the Court held that UMKC violated the religious student associations' speech and association rights by "discriminat[ing] against student groups and speakers based on their desire to use a generally open forum to engage in religious worship and discussion. These are forms of speech and association protected by the First Amendment." In other words, religious student groups have a First Amendment right to meet on public university campuses for religious speech and association. The Court then held that the federal and state establishment clauses were not violated by allowing religious student associations access to public college campuses. The Court ruled that college students understand that simply allowing a student group to meet on campus does not mean that the University endorses or promotes the students' religious speech, teaching, worship, or beliefs. As the Court observed in a subsequent equal access case that protected high school students' religious meetings, "the proposition that schools do not endorse everything they fail to censor is not complicated." The Supreme Court has reaffirmed Widmar's reasoning in numerous cases. In each case, the Court ruled that an educational institution did not endorse a religious association's beliefs simply because it provided the religious association with meeting space. Access does not equal endorsement.B. Discrimination against religious student groups continues. After the Supreme Court made clear that the Establishment Clause could not justify exclusion of religious student groups, some university administrators began to claim that university nondiscrimination policies were violated if the religious student groups required their leaders to agree with their religious beliefs. These administrators began to threaten religious student groups with exclusion from campus if they required their leaders to agree with the groups' religious beliefs. It is common sense and basic religious freedom - not discrimination - for religious groups to expect their leaders to share the groups' religious beliefs. Nondiscrimination policies serve valuable and important purposes. Ironically, one of the most important purposes of a college's nondiscrimination policy is to protect religious students on campus. Something has gone seriously wrong when college administrators use nondiscrimination policies to punish religious student groups for being religious. Exclusion of religious student groups actually undermines the purpose of a nondiscrimination policy and the good it serves. Such misuse of nondiscrimination policies is unnecessary. Nondiscrimination policies and students' religious freedom are eminently compatible, as shown by the many universities with nondiscrimination policies that explicitly recognize the right of religious groups to require that their leaders share the groups' religious beliefs. Unfortunately, some universities have chosen to misuse their nondiscrimination policies to exclude religious student associations from campus. Alternatively, some universities have excluded religious

student associations by claiming to have what they call "all-comers" policies, which purport to prohibit all student associations from requiring their leaders to agree with the associations' political, philosophical, religious, or other beliefs. However, a true "all-comers" policy rarely, if ever, actually exists.By way of example, in the 2015-2016 academic year, Indiana University announced that it intended to change its policy. Under the new policy, the university specifically stated that a religious student group "would not be permitted to forbid someone of a different religion, or someone nonreligious, from running for a leadership position within the [religious group]." Only after months of criticism from alumni and political leaders, as well as the threat of litigation, did Indiana University revert to its prior policy of allowing religious student groups to choose their leaders according to their religious beliefs. Also in the 2015-2016 academic year, a religious student organization at Southeast Missouri State University had its recognition revoked by the student government because it refused to insert a newly required nondiscrimination statement into its constitution. The group tried to persuade the student government to allow religious groups to have religious leadership requirements; however, the student government voted against adding language to its bylaws to protect religious groups' right to have religious leadership requirements. After this vote, additional religious groups communicated to the administration that they would not remove their religious leadership requirements from their constitutions. After several months, the administration sent the religious organizations letters stating that the student government had voted to "abandon their non-discrimination statement and to replace it with the University's non-discrimination statement." However, university policies still lack written protection for the right of religious groups to have religious leadership requirements. In 2021, student governments at the University of Idaho and the University of Virginia similarly tried to penalize religious student groups because they required their leaders to agree with their religious beliefs. Because the Idaho and Virginia legislatures had the foresight to pass laws to protect religious student groups on public university campuses, the university administrators expeditiously reversed the student governments' discriminatory actions against the religious student organizations in both instances. The universities not only avoided needless litigation, but also sent religious students (and their parents) the reassuring message that they were welcome on their campuses.HB 875 would allow Missouri's public universities and colleges to have whatever policies they wish. HB 875 would only require that whatever policy a college chooses to have must respect religious student groups' right to choose their leaders according to their religious beliefs. HB 875 would thereby protect Missouri public colleges/universities, and the taxpayers that fund them, from costly litigation, Equally importantly, HB 875 would protect religious students from discrimination on Missouri campuses and secure their basic freedoms of speech and religion.C. HB 875 would avoid the problems that other states have experienced and that some states have addressed through similar legislation.1. California State University excluded religious student associations with religious leadership requirements from its 23 campuses, including religious groups that had met on its campuses for over forty years. The California State University comprises 23 campuses with 437,000 students. In 2014, Cal State denied recognition to several religious student associations, including Chi Alpha, InterVarsity, and Cru. For example, the student president of a religious student association that had met on the Cal State Northridge campus for forty years received a letter that read: This correspondence is to inform you that effective immediately, your student organization, Rejoyce in Jesus Campus Fellowship, will no longer be recognized by California State University, Northridge. The letter then listed seven basic benefits that the religious student association had lost because it required its student leaders to agree with its religious beliefs, including: (1) free access to a room on campus for its meetings; (2) the ability to recruit new student members through club fairs; and (3) access to a university-issued email account or website. As the letter explained, "[g]roups of students not recognized by the university . . . will be charged the off-campus rate and will not be eligible to receive two free meetings per week in [university] rooms." As a result, some religious student groups faced paying thousands of dollars for room reservations and insurance coverage that were otherwise free to other student groups. The problem arose because Cal State re-interpreted its nondiscrimination policy to prohibit religious student groups from having religious leadership requirements. But in announcing that religious student groups could not have religious leadership requirements, Cal State explicitly and unfairly allowed fraternities and sororities to continue to engage in sex discrimination in selecting their leaders and members. 2. The Tennessee General Assembly passed legislation similar to HB 875 after Vanderbilt University excluded fourteen Catholic and evangelical Christian organizations from campus, including a Christian group because it required its leaders to have a "personal commitment to Jesus Christ."In 2011, Vanderbilt University administrators informed the CLS student chapter at Vanderbilt Law School that the mere expectation that its leaders would lead its Bible studies, prayer, and worship was "religious discrimination." CLS's requirement that its leaders agree with its core religious beliefs was also deemed to be "religious discrimination." Vanderbilt told another Christian student group that it could remain a recognized student organization only if it deleted five words from its constitution: that its leaders have a "personal commitment to Jesus Christ." The students left campus rather than recant

their commitment to Jesus Christ. Catholic and evangelical Christian students patiently explained to the Vanderbilt administration that nondiscrimination policies should protect, not exclude, religious organizations from campus. But in April 2012, Vanderbilt denied recognition to fourteen Christian organizations. While religious organizations could not keep their religious leadership requirements, Vanderbilt permitted fraternities and sororities to engage in sex discrimination in selecting leaders and members. After Vanderbilt adopted its new policy, the University of Tennessee reportedly claimed to have a similar policy. In response, the Tennessee General Assembly enacted T.C.A. § 49-7-156 to protect the right of a religious student association on a public college campus to "require[] that only persons professing the faith of the group and comporting themselves in conformity with it qualify to serve as members or leaders." 3. The Kansas Legislature passed legislation similar to HB 875 to protect religious student associations at Kansas public universities. In 2016, the Kansas Legislature enacted K.S.A. §§ 60-5311 - 60-5313 in order to ensure that Kansas taxpayers' money would not be spent on unnecessary litigation resulting from its public universities misinterpreting existing policies or adopting future policies - to exclude religious groups from campus because they had religious leadership requirements. In 2004, the CLS student chapter at Washburn School of Law had allowed an individual student to lead a Bible study. But it became clear that the student did not hold CLS's traditional Christian beliefs. CLS told the student he was welcome to attend future CLS Bible studies, but that he would not be allowed to lead them. Even though the student admitted that he disagreed with CLS's religious beliefs, he filed a "religious discrimination" complaint with the Washburn Student Bar Association, which threatened to penalize CLS for its refusal to allow a student who disagreed with its religious beliefs to lead its Bible study. Only after CLS filed a federal lawsuit did the Student Bar Association reverse course.4. The Oklahoma Legislature passed legislation similar to HB 875 to protect religious student associations at Oklahoma public universities. In 2011, the University of Oklahoma Student Association sent a memorandum to all registered student organizations that would prohibit religious student associations' religious leadership and membership criteria. After unwelcome publicity, the university disavowed the student government's memorandum. In 2014, the Oklahoma Legislature enacted language similar to HB 875. The "Exercise of Religion by Higher Education Students Act," 70 Okl. St. Ann. § 2119, protects students' religious expression at Oklahoma universities and colleges. It protects religious student organizations from exclusion from state college campuses because of their religious expression or because they require their leaders to agree with the organizations' core religious beliefs. 5. The Idaho Legislature passed legislation similar to HB 875 after Boise State University threatened religious student associations with exclusion. In 2008, the Boise State University student government threatened to exclude several religious organizations from campus, claiming that their religious leadership requirements were discriminatory. The BSU student government informed one religious group that its requirement that its leaders "be in good moral standing, exhibiting a lifestyle that is worthy of a Christian as outlined in the Bible" violated the student government's policy. The student government also found that the group's citation in its constitution of Matthew 18:15-17 violated the policy. The student government informed a religious group that "not allowing members to serve as officers due to their religious beliefs" conflicted with BSU's policy. In response to a threatened lawsuit, BSU agreed to allow religious organizations to maintain religious leadership criteria.In 2012, however, BSU informed the religious organizations that it intended to adopt a new policy, which would exclude religious organizations with religious leadership requirements. In response, the Idaho Legislature enacted Idaho Code § 33-107D to prohibit colleges from "tak[ing] any action or enforc[ing] any policy that would deny a religious student group any benefit available to any other student group based on the religious student group's requirement that its leaders adhere to its sincerely held religious beliefs or standards of conduct." In 2021, the University of Idaho College of Law student government delayed recognizing the CLS student organization because of its religious leadership requirements. After CLS's counsel wrote a letter to the University administration noting the Idaho law, the University administration granted recognition to the CLS students as an official student organization.6. The Ohio Legislature passed legislation like HB 875 after The Ohio State University threatened to exclude religious student associations if they required their leaders to share the associations' religious beliefs. In 2003-2004, the CLS student chapter at the OSU College of Law was threatened with exclusion because of its religious beliefs. After months of trying to reason with OSU administrators, a lawsuit was filed, which was dismissed after OSU revised its policy "to allow student organizations formed to foster or affirm sincerely held religious beliefs to adopt a nondiscrimination statement consistent with those beliefs in lieu of adopting the University's nondiscrimination policy." Religious groups then met without problem from 2005-2010. In 2010, however, OSU asked the student government whether it should change its policy to no longer allow religious groups to have religious leadership and membership requirements. The undergraduate and graduate student governments voted to remove protection for religious student groups. In response, in 2011, the Ohio Legislature prohibited public universities from "tak[ing] any action or enforc[ing] any policy that would deny a religious student group any benefit available to any other student group based on the religious student

group's requirement that its leaders or members adhere to its sincerely held religious beliefs or standards of conduct." Ohio Rev. Code § 3345.023. 7. The Arizona Legislature passed legislation to protect religious student associations and students' religious expression. In 2011, Arizona enacted A.R.S. § 15-1863, which protects religious student associations' choice of their leaders and members. In 2004, Arizona State University College of Law had threatened to deny recognition to a CLS student chapter because it limited leadership and voting membership to students who shared its religious beliefs. A lawsuit was dismissed when the University agreed to allow religious student groups to have religious leadership and membership requirements. 8. The Virginia General Assembly, North Carolina General Assembly, Kentucky Legislature, Louisiana State Legislature, and Arkansas General Assembly also have passed legislation to protect religious student associations' religious freedom. To protect religious student organizations that had sometimes been threatened with exclusion from various University of North Carolina campuses, the North Carolina General Assembly enacted N.C.G.S.A. §§ 115D-20.1 & 116-40.12. The law prohibits colleges from denying recognition to a student organization because it "determine[s] that only persons professing the faith or mission of the group, and comporting themselves in conformity with, are qualified to serve as leaders of the organization." N.C.G.S.A. § 116-40.12. The Virginia General Assembly passed a similar law in 2013 (Va. Code Ann. § 23 -9.2:12), as did the Kentucky Legislature in 2017 (Ky. Rev. Stat. Ann. § 164.348 (4)), the Louisiana State Legislature in 2018 (LSA-R.S. 17:3399.33), and the Arkansas General Assembly in February 2019 (A.C.A. § 6-60-1006). D. HB 875 aligns with federal and state nondiscrimination laws that typically protect religious organizations' ability to choose their leadership on the basis of religious belief.No federal or state law, regulation, or court ruling requires a college to adopt a policy that prohibits religious groups from having religious criteria for their leaders and members. To the contrary, federal and state nondiscrimination laws typically protect religious organizations' ability to choose their leaders on the basis of their religious beliefs. The leading example, of course, is the federal Title VII, which explicitly provides that religious associations' use of religious criteria in their employment decisions does not violate the Civil Rights Act of 1964 and its prohibition on religious discrimination in employment. In three separate provisions, Title VII exempts religious associations from its general prohibition on religious discrimination in employment. 42 U.S.C. § 2000e-1(a) (does not apply to religious associations "with respect to the employment of individuals of a particular religion to perform work connected with the carrying on" of the associations' activities); 42 U.S.C. § 2000e-2(e)(2) (educational institution may "employ employees of a particular religion" if it is controlled by a religious association or if its curriculum "is directed toward the propagation of a particular religion"): 42 U.S.C. § 2000e-2(e)(1) (any employer may hire on the basis of religion "in those certain instances where religion ... is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise.").In 1987, the Supreme Court upheld the constitutionality of Title VII's exemption against an Establishment Clause challenge. Concurring in the opinion with Justice Marshall, Justice Brennan insisted that "religious organizations have an interest in autonomy in ordering their internal affairs, so that they may be free to ... select their own leaders, define their own doctrines, resolve their own disputes, and run their own institutions." In 2012, in Hosanna-Tabor Evangelical Lutheran Church and Sch. v. EEOC, the Supreme Court unanimously rejected the federal government's argument that federal nondiscrimination laws could be used to trump religious associations' leadership decisions. The Court acknowledged that nondiscrimination laws are "undoubtedly important. But so too is the interest of religious groups in choosing who will preach their beliefs, teach their faith, and carry out their mission." In their concurrence, Justice Alito and Justice Kagan stressed that "[r]eligious groups are the archetype of associations formed for expressive purposes, and their fundamental rights surely include the freedom to choose who is qualified to serve as a voice for their faith." E. HB 875 will conserve taxpayers' dollars by preempting costly lawsuits.HB 875 would help Missouri's colleges avoid costly litigation for which the taxpayers and students foot the bill. HB 875 would protect colleges from adopting policies that are highly problematic. Such policies expose colleges – and state taxpayers – to costly lawsuits. As seen in Section C, sometimes the impetus for policies that harm religious groups comes from student government rather than university administrators. HB 875 would provide administrators with a substantive reason for resisting student government's potential harassment of, and discrimination against, religious student associations. Judge Kenneth Ripple of the Court of Appeals for the Seventh Circuit has explained why misinterpretation of nondiscrimination policies places a particular burden on religious groups: For many groups, the intrusive burden established by this requirement can be assuaged partially by defining the group or membership to include those who, although they do not share the dominant, immutable characteristic, otherwise sympathize with the group's views. Most groups dedicated to forwarding the rights of a "protected" group are able to couch their membership requirements in terms of shared beliefs, as opposed to shared status. Religious students, however, do not have this luxury—their shared beliefs coincide with their shared status. They cannot otherwise define themselves and not run afoul of the nondiscrimination policy.... The Catholic Newman Center

cannot restrict its leadership—those who organize and lead weekly worship services—to members in good standing of the Catholic Church without violating the policy. Groups whose main purpose is to engage in the exercise of religious freedoms do not possess the same means of accommodating the heavy hand of the State. The net result of this selective policy is therefore to marginalize in the life of the institution those activities, practices and discourses that are religiously based. While those who espouse other causes may control their membership and come together for mutual support, others, including those exercising one of our most fundamental liberties—the right to free exercise of one's religion—cannot, at least on equal terms. ConclusionHB 875 is needed to ensure that religious students continue to be welcomed and respected on Missouri campuses. If university students are taught that the government can dictate to religious groups what religious beliefs their leaders may or may not hold, religious freedom will be diminished not just for the religious students on campus, but eventually for all Missourians whose religious freedom will be at risk if their fellow citizens hold such an impoverished understanding of this most basic human right.



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EMAIL: hbdbf@umsystem	.edu	ATTENDANCE: Written	·	SUBMIT DATE: 1/27/2025 8	:37 AM

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I would like to testify in favor of HB 875. I am the VP of the Christian Legal Society(CLS), Mizzou Law chapter, and our chapter meets once every week to do bible study or have guest speakers speak to us. CLS provided a safe and stable environment for christian law students at Mizzou law to come together and have valuable fellowship with one another. One of the greatest gift the American Constitution gave us in this land is the freedom of belief and association, some sincerely held beliefs and conduct requirement for one organization can seems discriminatory and hateful for another, nevertheless should not be interfered with by other institutions or authorities. I am in support of this bill because by preventing schools from judging casting value judgements and favoritism, we can avoid situations like a Christian/Muslim organization getting punished for rejecting a presidential candidate who is openly "transgender" or identity as a 3rd sex other than male and female. It is the genuine belief for a majority of Christian that God created male and female without a 3rd sex, holding such belief is not "hateful" and asking its organization leaders to align their conduct with such belief should not be punished. This bill serves a practical purpose, especially because lawsuits ensued from similar situation that I have just described have already taken place in other states. Therefore, I would like to testify in favor of HB 875.



BILL NUMBER: HB 875				DATE: 1/27/2025
COMMITTEE: Emerging Issues				
TESTIFYING:	☐IN SUPPORT OF	✓ IN OPPOSITION TO		ATIONAL PURPOSES
		WITNESS NAME		
INDIVIDUAL:				
WITNESS NAME: AMANDA MICHEL			PHONE NUME	BER:
BUSINESS/ORGANIZATIO	ON NAME:		TITLE:	
ADDRESS:				
CITY:			STATE:	ZIP:
EMAIL: amanda.michel@g	gmail.com	ATTENDANCE: Written	SUBMIT D 1/25/20	DATE: 25 11:26 AM
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Discriminatory groups should not be allowed on college campuses and certainly should not be taxpayer funded.



BILL NUMBER: HB 875				DATE: 1/27/2025
COMMITTEE: Emerging Issues				
TESTIFYING:	☐ IN SUPPORT OF	✓ IN OPPOSITION TO	☐FOR INFORM	IATIONAL PURPOSES
		WITNESS NAME		
INDIVIDUAL:				
WITNESS NAME: ARCH KIMBRIEL			PHONE NUM	BER:
BUSINESS/ORGANIZATION	ON NAME:		TITLE:	
ADDRESS:				
CITY:			STATE:	ZIP:
EMAIL:		ATTENDANCE:	SUBMIT 1/27/20	DATE: 025 12:00 AM
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BILL NUMBER: HB 875				DATE: 1/27/2025
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TESTIFYING:	☐ IN SUPPORT OF	☑ IN OPPOSITION TO	☐FOR INFORM	MATIONAL PURPOSES
		WITNESS NAME		
INDIVIDUAL:				
WITNESS NAME: BRITTANY KIEFEI	R		PHONE NUM	MBER:
BUSINESS/ORGANIZATION	ON NAME:		TITLE:	
ADDRESS:			·	
CITY:			STATE:	ZIP:
EMAIL: brittany.kiefer@gr	mail.com	ATTENDANCE: Written	SUBMIT 1/25/2	DATE: 1025 9:40 PM
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BILL NUMBER: HB 875					ATE: 27/2025
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		WITNESS NAME			
INDIVIDUAL:					
WITNESS NAME: CARTER ALMOND			PH	IONE NUMBER:	
BUSINESS/ORGANIZATION NAM	IE:		TIT	ΓLE:	
ADDRESS:					
CITY:			ST	ATE:	ZIP:
EMAIL: cartermitchell654@gma	ail.com	ATTENDANCE: Written	•	SUBMIT DATE 1/25/2025	1:13 AM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo. These bills are not how we build a better Missouri, it is how we kill any future we have. It sickens me that people we have in office are even considering this as okay. Please think about the diversity on

college campuses when you are voting for this. I am and will always be in opposition of any bill that will allow discrimination where there is meant to be education.



BILL NUMBER: HB 875				DATE: 1/27/2025
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		WITNESS NAME		
BUSINESS/ORG	ANIZATION:			
WITNESS NAME: DAVA-LEIGH BRU	SH		PHONE NUM 314-600-	
BUSINESS/ORGANIZATION MISSOURI EQUITY	N NAME: 'EDUCATION PARTNE	RSHIP	TITLE:	
ADDRESS: PO BOX 1352				
CITY: ST. CHARLES			STATE: MO	ZIP: 63302
EMAIL: dlb@missouriequi	ty.com	ATTENDANCE: Written	SUBMIT 1/27/2	DATE: 2025 4:43 PM

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The Missouri Equity Education Partnership strongly opposes 875 because we believe that student organizations should be governed by those who are members of the organization, and precluding some members from leadership positions based on "beliefs" counters long held free speech doctrines. Students join organizations for a variety of reasons and bring diverse experiences to the table; no one is just one thing. Organizations grow and evolve through these experiences, and if enough members want to vote in leadership that might change the organization, so be it. That is how democracy works. We further believe that this bill could be used to specifically exclude marginalized groups by keeping them from fully participating in student government and organizations. Diversity and inclusivity are what make us thrive. Specifically there have been instances where rules like this have infringed on freedom of speech and religion by keeping members of the LGBTQ community from serving in Christian organizations while they are both LGBTQ and Christian. Women could be discriminated against in other religious organizations. We oppose bills that limit diversity and inclusivity, as well as those that blur the line between separation of church and state as this bill does.



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BILL NUMBER: HB 875			TE: 27/2025
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	WITNESS NAME		
INDIVIDUAL:			
WITNESS NAME: ELLIE BLEDSOE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: ellie.bledsoe@ppgr.org	ATTENDANCE: Written	SUBMIT DATE: 1/27/2025 1	1:06 PM

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Good Evening, If an organization is willing to follow the laws of the State and the policies of the University/campus then there is nothing stopping that organization from forming and receiving access to the funds and resources of the university. However, this bill would allow political, ideological, or religious organizations access to university resources, specifically student fees. These organizations, via their "sincerely held beliefs", would discriminate against students because of their membership of their protected classes of the Civil Rights Act of 1974, in addition to their sexual orientation, gender identity, or disability. The bill would allow the association's own rules will then pre-empt state statute and campus policy by not allowing "adverse-action", or denying them university funding, from occurring. Students who pay fees should have the option to participate in any organization they align with and allow them to grow and expand their educational experience. These ideological, political, or religious organizations can exist on campus amongst the students, however, they should not be granted access to University legitimization in terms of resources and fees.



BILL NUMBER: HB 875				DATE: 1/27/2025
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		WITNESS NAME		
INDIVIDUAL:				
WITNESS NAME: EMILY HORNSTRA	A		PHONE NUM	BER:
BUSINESS/ORGANIZATION	ON NAME:		TITLE:	
ADDRESS:				
CITY:			STATE:	ZIP:
EMAIL: emlife@att.net		ATTENDANCE: Written	SUBMIT I 1/26/20	DATE: 125 10:43 PM
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BILL NUMBER: HB 875				DATE: 1/27/2025
COMMITTEE: Emerging Issues				
TESTIFYING:	\square IN SUPPORT OF	✓ IN OPPOSITION TO		ATIONAL PURPOSES
		WITNESS NAME		
REGISTERED LO	OBBYIST:			
WITNESS NAME: JONATHAN SCHM	IID		PHONE NUME 314-652-3	
REPRESENTING: AMERICAN CIVIL	LIBERTIES UNION OF	MISSOURI	TITLE:	
ADDRESS: 906 OLIVE ST. STE 1130				
CITY: ST. LOUIS			STATE: MO	ZIP: 63101
EMAIL:		ATTENDANCE:	SUBMIT D 1/27/20	OATE: 25 12:00 AM
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WITNESS NAME					
INDIVIDUAL:					
WITNESS NAME: KITIARA WRIGHT			PHONE NUME	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:			TITLE:	TITLE:	
ADDRESS:					
CITY:			STATE:	ZIP:	
EMAIL: kitiaramcguire27@gmail.com		ATTENDANCE: Written		SUBMIT DATE: 1/27/2025 4:25 PM	
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Discriminatory groups should not be permitted to organize on college campuses or receive state taxpayer dollars in funding.



BILL NUMBER: HB 875				DAT 1/2	E: 27/2025
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		WITNESS NAME			
INDIVIDUAL:					
WITNESS NAME: KORTNIE HUDDLE	ESTON		PHON	E NUMBER:	
BUSINESS/ORGANIZATIO	DN NAME:		TITLE:		
ADDRESS:					
CITY:			STATE	:	ZIP:
EMAIL: kortniehuddleston	n@gmail.com	ATTENDANCE: Written		JBMIT DATE: //27/2025 8	:05 PM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I am writing to urge you to oppose HB875 (Chappell), which seeks to exempt religious student organizations and other "belief-based" groups from non-discrimination policies at public higher education institutions. This bill should be rejected as it risks legitimizing discriminatory practices. Student organizations are integral to campus life, enhancing student satisfaction and success, as supported by research. Strong non-discrimination policies are essential to ensure all students have equal access to organizations and the chance to engage with diverse ideas and identities. To combat discrimination, promote equality, and encourage inclusivity, many public colleges and universities have adopted "accept-all-comers" policies. These policies typically deny funding—drawn from mandatory student activity fees—and official recognition to groups that exclude students.HB875, however, undermines these efforts by permitting clubs to discriminate. For example, a Christian student group could exclude someone based on their sexual orientation or family status. This bill could even enable a white supremacist group to seek university funding and recognition. It is crucial to recognize that this legislation is not required by the First Amendment. Any student club can gain recognition and funding by complying with the school's non-discrimination policy. If a club imposes membership or leadership criteria that conflict with school policy, it will not be silenced or removed from campus; it simply won't receive official recognition or funding. In fact, the Supreme Court, in *Christian Legal Society v. Martinez*, upheld an "accept-all-comers" policy against claims that it violated the religious freedom of Christian student groups. The Court ruled that such policies do not infringe on the First Amendment because the denial of benefits is based on the group's conduct, not their beliefs. The Missouri legislature must not support divisive legislation that fosters discrimination in public higher education. The ability of these institutions to protect students from discrimination must not be weakened, and public tax dollars and student fees should only support groups that welcome all students. Thank you for considering this important issue.



BILL NUMBER: HB 875				DATE: 1/27/2025
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TESTIFYING:	☐ IN SUPPORT OF	✓ IN OPPOSITION TO	☐FOR INFORM	ATIONAL PURPOSES
		WITNESS NAME		
INDIVIDUAL:				
WITNESS NAME: LINDA KRAM			PHONE NUME	BER:
BUSINESS/ORGANIZATION	ON NAME:		TITLE:	
ADDRESS:				
CITY:			STATE:	ZIP:
EMAIL: lindakram@charte	er.net	ATTENDANCE: Written	SUBMIT 0 1/27/20	DATE: 125 6:42 PM
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MISSOURI HOUSE OF REPRESENTATIVES

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	WITNESS NA	ME		
INDIVIDUAL:				
WITNESS NAME: MICHAEL DREYER		PHONE	NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:		
ADDRESS:		·		
CITY:		STATE	: ZIP:	
EMAIL: mdreyer93@gmail.com	ATTENDANCE: Written	SU 1/.	IBMIT DATE: 27/2025 8:00 PM	И

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

I am writing to strongly encourage you to oppose HB875 (Chappell), which proposes an exemption for religious student organizations and other "belief-based" student groups from non-discrimination policies in public higher education institutions. This bill should be rejected due to its potential to legitimize discriminatory practices. Student organizations play a vital role in campus life, contributing to overall student satisfaction and success, as evidenced by research. The implementation of robust non-discrimination policies ensures that all students have equal access to various organizations and the opportunity to explore diverse ideas and identities. To prevent discrimination on campus, promote equality, and foster inclusive practices for student organizations, many public colleges and universities have adopted "accept-all-comers" policies. These policies typically withhold funding, derived from a mandatory student activity fee, and official recognition from student groups that do not welcome all students. Contrary to these policies, HB875 undermines the efforts to prevent discrimination on campus by allowing clubs to engage in discriminatory practices. For instance, a Christian student group could reject a student based on their sexual orientation or single-parent status. This bill may even provide an avenue for a white supremacist group to demand university funding and recognition.It's important to note that this legislation is not compelled by the First Amendment. Any student club can gain recognition and access funds by adhering to the school's nondiscrimination policy. If a club chooses to impose membership and leadership requirements conflicting with the school policy, it will not be silenced or expelled from campus; rather, it will simply not receive official recognition and funding. In fact, the Supreme Court, in Christian Legal Society v. Martinez, upheld an "accept-all-comers" policy against claims that it violated the religious freedom of Christian student groups. The Court clarified that these policies do not infringe upon the First Amendment because the denial of benefits is based on the group's conduct, not their views.It is imperative that the Missouri legislature does not endorse divisive legislation that promotes discrimination within the state's public higher education institutions. The power of these institutions to protect students from discrimination should not be undermined, and it is crucial that public tax dollars and student activity fees only support groups that are open to all students. Thank you for considering this significant matter.



MISSOURI HOUSE OF REPRESENTATIVES

WITNESS APPEARANCE FORM

BILL NUMBER: HB 875				DATE: 1/27/2025
COMMITTEE: Emerging Issues				
TESTIFYING:	IN SUPPORT OF	✓ IN OPPOSITION TO	☐FOR INFORM	ATIONAL PURPOSES
		WITNESS NAME		
BUSINESS/ORGANI	ZATION:			
WITNESS NAME: MICKEY DOLLENS			PHONE NUME 608-256-8	
BUSINESS/ORGANIZATION NAME: FREEDOM FROM RELIGION FOUNDATION			L GOVERNMENT MANAGER	
ADDRESS: PO BOX 750				
CITY: MADISON			STATE: WI	ZIP: 53701
EMAIL: dollensm@ffrf.org		ATTENDANCE: Written	SUBMIT 0 1/24/20	DATE:)25 4:37 PM

THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.

January 24, 2025Submitted via Missouri House Website and Email Emerging Issues Committee Room 7201 W. Capitol Avenue Jefferson City, MO 65101 Re: Testimony in opposition to Missouri H.B. 875 Dear Chair Christ and members of the Emerging Issues Committee: I am writing on behalf of the Freedom From Religion Foundation (FFRF) Action Fund to voice strong opposition to House Bill 875. FFRF AF is an affiliate of the Freedom From Religion Foundation, a national nonprofit organization with over 40,000 members, including nearly 500 in Missouri. Our mission is to ensure that laws remain secular and protect the constitutional principle of separation between state and church.HB 875 Enables State-Sanctioned DiscriminationHB 875 allows "belief-based student associations" to exclude individuals based on their adherence to the group's self-defined mission, beliefs, or standards of conduct. While this may appear to protect freedom of association, in practice it opens the door for state-funded discrimination. This could lead to:Exclusion Based on Identity: LGBTQ+ students, racial minorities, or students with differing religious beliefs could be barred from participation in leadership roles, or even membership, simply because they do not conform to an organization's arbitrary requirements. Government Funding of Discrimination: Public universities, funded by taxpayer dollars. would be required to provide resources, recognition, and support to organizations engaging in exclusionary practices. This violates the principles of equality and fairness.HB 875 Undermines Inclusive Campus CommunitiesMissouri's public institutions of higher learning serve diverse student populations. HB 875, however, would create an environment where certain groups can marginalize others while enjoying state resources.Legal and Practical ConcernsConflicts with Existing Anti-Discrimination Policies: Many universities have "all-comers" policies to ensure that all students are welcome to participate in campus activities. HB 875 would override these policies, forcing institutions to recognize and fund groups that openly discriminate. Lack of Accountability: The bill allows student associations to define their own "beliefs" and "standards of conduct" without oversight, creating a lack of accountability. This could lead to abuse and arbitrary exclusion of students.Litigation Risks: HB 875 creates vague and overly broad definitions, such as "belief-based student association," which are likely to lead to confusion, disputes, and costly lawsuits for public institutions. Missouri Should Not Sanction DiscriminationWhile proponents of HB 875 may argue that this bill protects freedom of speech and association, it actually prioritizes the rights of certain groups over the rights of others, enabling discrimination under the guise of "belief-based" protections. Missouri's public universities should remain places where all students feel safe, included, and respected—this bill directly undermines that goal.ConclusionHB 875 is not about protecting freedom of expression; it is about enabling exclusionary practices that conflict with the values of equality and fairness. Public university students retain freedom of conscience without HB 875. For example, Mizzou Students for Life can

freely retain spiritual objections to abortion all they wish. They are permitted to, for instance, bar a person who has had an abortion from being president. However, in the face of an "all comers" policy, they cannot categorically ban all women from their organization or leadership roles and maintain registered status—no matter how sincerely held their beliefs are. Instead, Mizzou Students for Life's recourse would be to vote for candidates who better align with their views.ldeally, students should vote against—not ban—fellow students from office. Those organizations that wish to have discriminatory leadership criteria are free to gather outside the university context, on their own time and money—like any religious body. I urge the committee to reject this bill and support policies that foster inclusivity and mutual respect in Missouri's public institutions of higher learning. Thank you for your attention to this matter. Please feel free to reach out with any questions. Sincerely, Mickey Dollens Regional Government Affairs Manager FFRF Action Fund



MISSOURI HOUSE OF REPRESENTATIVES

WITNESS APPEARANCE FORM

BILL NUMBER: HB 875				DATE: 1/27/2025
COMMITTEE: Emerging Issues				
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		WITNESS NAME		
INDIVIDUAL:				
WITNESS NAME: NANCY BATEMAN			PHONE NUME	BER:
BUSINESS/ORGANIZATION NAME:			TITLE:	
ADDRESS:				
CITY:			STATE:	ZIP:
EMAIL: batemykee52@gmail.com		ATTENDANCE: Written		
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Why in the world do we want to spread more hate at this juncture in time? Our parents fought to subdue the Nazis (which this bill primarily enables). Now we are allowing them to influence our government and our communities. Next will be KKK and proud boys and we all know it. You would also be allowing Alqaeda, Hamas and other terrorist groups as well. Is this the America we're unleashing?? Vote no. Not now not in this world ready to hate their neighbors.



BILL NUMBER: HB 875				DATE: 1/27/2025
COMMITTEE: Emerging Issues				
TESTIFYING:	☐IN SUPPORT OF	☑ IN OPPOSITION TO	☐FOR INFORM	ATIONAL PURPOSES
		WITNESS NAME		
BUSINESS/ORG	ANIZATION:			
WITNESS NAME: NIMROD CHAPEL	JR.		PHONE NUMI 573-303-0	
BUSINESS/ORGANIZATION MO NAACP	DN NAME:		TITLE: PRESIDE	NT
ADDRESS: 311 W DUNKLIN				
CITY: JEFFERSON CITY			STATE: MO	ZIP:
EMAIL:		ATTENDANCE:	SUBMIT I 1/27/20	DATE: 125 12:00 AM
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		WITNESS NAME		
REGISTERED LO	OBBYIST:			
WITNESS NAME: OTTO FAJEN			PHONE NUMBE 573-634-32	
REPRESENTING: MISSOURI NEA			TITLE: LEGISLATI	VE DIRECTOR
ADDRESS: 1810 EAST ELM S	т.			
CITY: JEFFERSON CITY			STATE: MO	ZIP: 65101
EMAIL: otto.fajen@mnea.c	org	ATTENDANCE: Written	SUBMIT DATE: 1/27/2025 2:43 PM	
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The Association believes that organizations are strengthened by offering memberships ona nondiscriminatory basis. The Association opposes the bill.



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WITNESS NAME: RICHARD SCHUR		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:		•	
CITY:		STATE:	ZIP:
EMAIL: rschur635@gmail.com	ATTENDANCE: Written	SUBMIT DATE 1/26/2025	9:26 AM

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I am opposed to this bill as it written because it would require higher education institutions to accept ANY student organization even ones that discriminate against other students or holds values that challenge central values of that institution. The phrasing of the bill would force colleges and universities to accept groups that espouse hatred as long as they say it is sincerely-held religious belief. Less than 75 years ago, we had religious groups that claimed sincerely-held religious beliefs in racial segregation and sincerely-held religious beliefs that outlawed religious discrimination. That belief is wrong now and was wrong then and colleges should be allowed to prohibit organizations with those abhorent beliefs. Today, the same language, "a sincerely held religious belief" is used as a fig leaf to deny the humanity and to ostracize LGBT people. Institutions of higher learning are for everyone and should support the learning of everyone. They should be welcome to everyone. To have organizations on campus dedicated to stripping the rights and protections of their classmates would be counter to this mission. I implore you to reject this bill.



BILL NUMBER: HB 875				DATE: 1/27/2025
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		WITNESS NAME		
INDIVIDUAL:				
WITNESS NAME: SARAH FELTS			PHONE NUME	BER:
BUSINESS/ORGANIZATION	ON NAME:		TITLE:	
ADDRESS:			·	
CITY:			STATE:	ZIP:
EMAIL: sarah.felts@gmail	l.com	ATTENDANCE: Written	SUBMIT 0 1/27/20	DATE: 125 9:33 PM
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		WITNESS NAME		
BUSINESS/ORG	ANIZATION:			
WITNESS NAME: SHIRA BERKOWIT	ΓZ		PHONE NUME 314-862-4	
BUSINESS/ORGANIZATION PROMO MISSOUR			SR. DIRECT	CTOR PUBLIC
ADDRESS: 2200 GRAVOIS AV	/E STE 201			
CITY: ST. LOUIS			STATE: MO	ZIP: 63104
EMAIL:		ATTENDANCE:	SUBMIT DATE: 1/27/2025 12:00 AM	
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		WITNESS NAME		
INDIVIDUAL:				
WITNESS NAME: SUSAN GIBSON			PHONE NUME	BER:
BUSINESS/ORGANIZATIO	ON NAME:		TITLE:	
ADDRESS:			•	
CITY:			STATE:	ZIP:
EMAIL: Onesuegibson@p	rotonmail.com	ATTENDANCE: Written	SUBMIT I 1/26/20	DATE: 125 11:33 AM
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I have two issues with this bill. It opens universities up to having to host hate groups, and no student's university fees should be used to fund a group which they would not be welcome to attend.



BILL NUMBER: HB 875				DATE: 1/27/2025	
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		WITNESS NAME			
INDIVIDUAL:					
WITNESS NAME: SUSAN SHUMWA	Y		PHONE NUM	BER:	
BUSINESS/ORGANIZATIO	ON NAME:		TITLE:		
ADDRESS:			<u> </u>		
CITY:			STATE:	ZIP:	
EMAIL: Revsue4u@gmail.	com	ATTENDANCE: Written	SUBMIT I 1/26/20	DATE: 125 12:46 PM	
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As a pastor I am aware that religious associations can be very discriminatory and do not always have an extravagant welcome. I am against this bill due to the way it can be used for discriminatory groups spouting hate to organize on campuses.



BILL NUMBER: HB 875				DATE: 1/27/2025	
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TESTIFYING:	\square IN SUPPORT OF	✓ IN OPPOSITION TO	☐FOR INFORM	ATIONAL PURPOSES	
WITNESS NAME					
INDIVIDUAL:					
WITNESS NAME: ZARIA CHANEY			PHONE NUMB	PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:			TITLE:	TITLE:	
ADDRESS:					
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EMAIL:	ATTENDANCE: SUBMIT DATE: 1/27/2025 12:00 AM				
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