



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 1778		DATE: 2/9/2026	
COMMITTEE: Emerging Issues			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE "HONEST-ABE" DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: In-Person	SUBMIT DATE: 2/9/2026 11:50 PM	
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**I am in Support of this Bill and allowing Religious Gatherings and Services in time of Emergencies.
This is a guarantee in Our Federal and State Constitutions.**



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: BYRON KEELIN		PHONE NUMBER: 314-402-0655	
BUSINESS/ORGANIZATION NAME: FREEDOM PRINCIPLE		TITLE: PRESIDENT	
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CITY: BALLWIN		STATE: MO	ZIP: 63011
EMAIL: freedomprinciplemo@protonmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/9/2026 6:02 AM	

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

We are writing to express our strong support for HB 1778, the Missouri Religious Freedom Protection Act, and to urge the committee to consider ways to further strengthen the bill’s protections. I deeply appreciate that this legislation safeguards Missourians’ fundamental right to assemble and worship by prohibiting public officials from restricting or prohibiting religious services and meetings. This is a crucial defense of our state’s longstanding commitment to religious liberty, particularly in times of emergency when governmental authority can be expanded.

However, I respectfully urge that the bill can be made even more robust by expanding its scope to protect religious gatherings held on private property, not just inside traditional places of worship. Many faith communities, particularly smaller congregations or those without dedicated buildings, often gather in private homes, rented spaces, or outdoors on private land to practice their faith. Additionally, even houses of worship may sometimes need to conduct services in alternate locations during emergencies or renovations. Protecting the right to worship should not depend on the type of property where believers gather.

Therefore, I recommend that HB 1778 be amended to explicitly prohibit any entity—not just government officials—from restricting or prohibiting worship services or religious meetings on private property. This includes actions by homeowners’ associations, landlords, or other private actors who might otherwise impede the free exercise of religion. Expanding these protections will ensure that people of faith in Missouri can assemble for worship without fear of undue restriction, whether they gather in a sanctuary, a living room, or an open field.

In sum, HB 1778 is an important step forward for religious freedom in Missouri, but its protections should be as comprehensive as possible. I urge the committee to support this bill and to consider amendments that will ensure the right to worship is fully protected on all private property across our state. Thank you for your time and attention to this vital matter.



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: CAMELLIA PETERSON		PHONE NUMBER: 417-726-9475
REPRESENTING: AMERICANS FOR PROSPERITY		TITLE: LEGISLATIVE DIRECTOR
ADDRESS: PO BOX 94		
CITY: JEFFERSON CITY		STATE: MO
		ZIP: 65102
EMAIL: cpeterson@afphq.org	ATTENDANCE: In-Person	SUBMIT DATE: 2/9/2026 6:41 PM

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In recent years, we have seen real life examples of government entities infringing on personal liberty and freedom of association - for many, including religious groups. These occurrences revealed the necessity of codifying this freedom of association in statute. We urge the committee to pass HB1778.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: JOANNE SCHRADER		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written		SUBMIT DATE: 2/9/2026 1:37 AM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: TIMOTHY FABER		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/9/2026 11:56 AM	

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“Elisha Williams wrote in 1744 that “a right that is dependent upon the will of another is not a right at all.” If the right for people to assemble is dependent upon a government official or agency then it is no right at all. Yet our constitution guarantees of God-given right to freedom of worship. So I strongly support this bill to codify and clarify the right of the people to freely worship where their consciences dictate without interruption or restraint from the government. Also, as was mentioned earlier in this discussion, while churches were allowed to meet in parking lots or via Zoom during a pandemic, that is no different than what Williams wrote in another part of that same treatise....civil authority has no right to determine if a person should pray standing or pray while sitting; nor to partake of other functions of worship in a certain manner. By the same token, restricting worshippers to praying while in their car in the parking lot or while participating in a Zoom call, rather than gathered together in their regular place of worship, is an egregious violation of our right to freedom of worship. I call upon you to uphold the constitution and vote yes on this bill.”



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: WALTER HAYES		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/9/2026 10:43 AM	

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Missouri recognizes the right to religious freedom as a core value. House Bill 1778 affirms this by stipulating that state and local public officials are prohibited from issuing orders that restrict or prevent religious organizations or places of worship from conducting services or meetings. The legislation is specifically designed and includes reasonable exceptions for issues related to violence and adherence to building and fire codes. This measure ensures that government authorities do not impose undue restrictions on houses of worship.

I appreciate that HB 1778 extends beyond declared states of emergency. Historical precedent demonstrates that restrictions on religious assembly may arise outside formal emergencies, and this bill ensures consistent protection throughout the year. This comprehensive scope distinguishes it from other proposals. To enhance enforceability and deter violations, I respectfully recommend two focused amendments that integrate the most effective enforcement provisions from HB 2760 (the PRAISE Act), while preserving the broader applicability of HB 1778:

- 1) **Equal Treatment Provision:** Add language stating that if any person, entity, or activity receives an exemption from a restriction, religious groups and places of worship must receive the same exemption. This ensures fairness and prevents arbitrary discrimination.
- 2) **Private Right of Action with Meaningful Remedies:** Introduce a subsection permitting aggrieved religious groups or places of worship to initiate a civil action. The available remedies should encompass injunctive relief, declaratory judgment, compensatory and nominal damages, attorney’s fees, and punitive damages in instances where malice or recklessness is demonstrated. This provision would enhance the enforceability of the law and underscore to public officials that violations of Missourians’ religious liberties carry substantive consequences.

HB 1778, especially with the suggested amendments, would ensure comprehensive protection at all times and provide the necessary enforcement mechanisms to uphold these safeguards. This approach would establish one of the most robust religious freedom statutes in the country—clear, constitutional, and enforceable. I respectfully request that the Committee approve HB 1778 with these amendments, as Missouri families, congregations, and communities merit strong and reliable protections for the free exercise of religion.



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WITNESS NAME		
BUSINESS/ORGANIZATION:		
WITNESS NAME: BRIAN KAYLOR		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME: WORD&WAY		TITLE: PRESIDENT
ADDRESS:		
CITY: JEFFERSON CITY	STATE: MO	ZIP: 65109
EMAIL: bkaylor@wordandway.org	ATTENDANCE: In-Person	SUBMIT DATE: 2/9/2026 3:06 PM
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This bill puts public health at risk and wrongly ties the arms of public officials. When it comes to pandemic public health rules, houses of worship should be treated like other mass gatherings. They should not be targeted to be shut down, but they also should not receive a special exemption. There should not be a pandemic privilege for religion.



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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: CYNTHIA HOLMES		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/9/2026 2:58 PM
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I oppose both bills. At a time when millions of americans were dying in a once in a century pandemic houses of worship should no receive exemptions to public health orders not available to other gatherings. Religious groups have always been subject to laws that protect the public such as fire codes and certainly should not be allowed to become super spreaders, now when it is possible to worship on line. Asking for special privileges that endanger others does not pass the WEJD test.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: KORTNIE HUDDLESTON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written		SUBMIT DATE: 2/9/2026 10:05 PM

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I stand in firm opposition to HB 1778 (Loy). While the right to religious exercise is among our most fundamental freedoms, it does not entitle religious institutions to special exemptions from laws designed to protect public safety. These bills would dangerously prioritize religious preferences over the well-being of Missourians, violating constitutional principles and undermining our state’s ability to respond to emergencies.

The legislation’s broad language exempts places of worship from neutral, generally applicable restrictions during public emergencies—a clear violation of the Establishment Clause. As the Supreme Court affirmed in *Lee v. Weisman*, the principle that government may accommodate the free exercise of religion does not supersede the fundamental limitations imposed by the Establishment Clause and the right to religious exercise doesn’t include the right to burden or harm others. Yet this bill would do exactly that, granting faith groups unchecked privileges while schools, businesses, and secular gatherings remain bound by life-saving rules. Imagine the consequences: A shelter-in-place order during an active shooter scenario ignored by a congregation. A wildfire evacuation order defied by a religious group—all shielded under this bill’s vague language.

These risks are not hypothetical. During COVID-19, states that exempted religious services from public health rules saw deadly superspreader events. Missouri cannot afford to repeat these mistakes. The bill’s narrow exemption for “acts of violence” ignores nonviolent threats like disease outbreaks, natural disasters, or mass gatherings that strain first responders. Neutral, nondiscriminatory laws exist to protect everyone—faith-based carve-outs jeopardize that balance.

Additionally, this legislation is unnecessary. Missouri law already requires the government to demonstrate extraordinary justification for restricting religious exercise. Our state’s existing safeguards ensure worship is disrupted only in the rarest circumstances. HB 1778 solves no real problem—they instead invite chaos, litigation, and harm.

Do not sacrifice Missourians’ safety for political symbolism. Reject these bills. Uphold the Constitution’s promise of equality and ensure no institution—religious or secular—is above the law.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: MICHAEL DREYER		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/9/2026 10:04 PM	

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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: PATRICIA DANIEL		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/8/2026 7:37 PM

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I oppose HB 1778 because religious places of worship should not be exempt from public orders that protect the people of the state. Places of worship have to comply with building and fire codes so they should not be exempt if officials feel it is not safe to hold public services. There are other ways these organizations can meet without jeopardizing the health of their members.



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: SAGE CORAM		PHONE NUMBER:
REPRESENTING: AMERICAN CIVIL LIBERTIES UNION OF MISSOURI		TITLE:
ADDRESS:		
CITY: ST. LOUIS	STATE: MO	ZIP: 63101
EMAIL: scoram@aclu-mo.org	ATTENDANCE: Written	SUBMIT DATE: 2/9/2026 11:55 PM
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The American Civil Liberties Union of Missouri strives to safeguard the First Amendment's guarantee of religious liberty. Missourians have both the right to religious belief and expression and the guarantee that the government will not favor particular faiths over others or prefer religion over non-religion. The language of HB 1778 to prohibit orders that have "the effect of limiting or prohibiting" places of worship or religious groups from holding services and meetings is too broad. This proposed bill could impede the government's ability to respond effectively to future pandemics or other public-health threats that endanger the lives of Missourians. As such, the ACLU of Missouri opposes HB 1778 and urges you to vote no on this bill.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SARAH BERRY		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/5/2026 3:48 PM	

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Strongly Oppose as Written

1. Missouri Already Protects Religious Freedom — This Bill Overwrites the Constitution
 Religious freedom is already protected under:

The First Amendment to the U.S. Constitution
 Article I, §5 of the Missouri Constitution
 Long-standing federal and state case law

HB 1778 does not clarify those protections — it statutorily prohibits public officials from issuing orders that have the effect of limiting religious services, regardless of context.

That language goes beyond constitutional guarantees and replaces judicial balancing with absolute legislative prohibition.¹

2. “Has the Effect of” Is an Unworkable Legal Standard

HB 1778 bars any order that “has the effect of limiting or prohibiting” religious services or meetings.

This is not a neutral standard.

It is:
Outcome-based
Subjective
Litigation-inviting

Under this bill, even neutral, generally applicable actions — road closures, curfews, evacuation zones, public safety orders — could be challenged if they incidentally affect religious gatherings.

The Constitution allows incidental burdens arising from neutral laws. HB 1778 forbids them entirely.²

3. This Bill Undermines Emergency Authority Without Saying the Word “Emergency”

Unlike other bills that explicitly reference states of emergency, HB 1778 silently disables emergency governance by stripping public officials of discretion.

**There is no exception for:
Public health emergencies
Natural disasters
Civil unrest
Infrastructure failure
Mass casualty response**

The only carve-out is for “acts of violence or harm”, which sets the threshold far too high and leaves officials powerless until danger is imminent rather than preventable.³

Emergency law exists precisely to act before harm occurs.

4. This Is a Separation-of-Powers Problem

By prohibiting public officials from issuing certain orders regardless of factual necessity,

HB 1778:

Legislatively overrides executive judgment

Eliminates administrative discretion

Preempts judicial balancing

Courts — not legislatures — are constitutionally tasked with evaluating when religious exercise must yield to compelling state interests.⁴

This bill attempts to pre-decide those cases wholesale.

5. The Fire and Building Code Clause Is Not a Cure

Subsection 6 states that places of worship must still comply with building and fire codes.

That does not resolve the problem.

Codes regulate structures — not conduct, timing, occupancy, or emergency conditions.

A building may be code-compliant and still unsafe to occupy during:

Flooding

Smoke conditions

Structural instability

Regional evacuation orders

This bill falsely equates code compliance with operational safety, which they are not.

6. The Practical Effect: Chilling Governance, Not Protecting Faith

Public officials faced with this statute will:

Delay issuing orders

Avoid acting at all

Shift decisions to legal counsel

Expose the state to injunctions and damages

That does not protect religious liberty.

It paralyzes governance and invites selective enforcement based on fear of litigation.

Conclusion

Religious freedom does not require absolute immunity from neutral laws, nor does it require stripping public officials of authority to protect life and safety.

HB 1778:

Overrides constitutional precedent

Collapses emergency discretion

Invites constant litigation

Weakens public safety for all Missourians, including faith communities

This bill should be rejected or fundamentally rewritten to align with constitutional doctrine.

Lawmakers who value religious liberty should remember this:

Rights protected without balance become liabilities for everyone. Future legislatures — and future courts — will be forced to clean up what this bill breaks. The responsible vote is No.

Footnotes:

Church of the Lukumi Babalu Aye v. City of Hialeah, 508 U.S. 520 (1993).

Employment Division v. Smith, 494 U.S. 872 (1990).

Jacobson v. Massachusetts, 197 U.S. 11 (1905) (state authority to act to prevent harm before it occurs).

Wisconsin v. Yoder, 406 U.S. 205 (1972) (balancing religious liberty against compelling state interests).



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SUSAN GIBSON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/8/2026 8:31 PM	
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WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: THE REV. DR. TERESA DANIELEY		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/9/2026 8:31 PM
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As a priest in the Episcopal Diocese of Missouri, I takes seriously the Biblical teaching to love my neighbors. I oppose legislation like HB 1778 that would carve out a special "pandemic privilege" for religious groups

The legislature should not take power away from local officials during a health emergency. There should NOT be broad religious exemptions for houses of worship from any local or state pandemic order. Such a law would do the opposite of the Great Commandment - endangering our neighbors, rather than trying to protect them from a serious public health threat.



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INDIVIDUAL:			
WITNESS NAME: W B TICHENOR		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 2/9/2026 1:19 PM	
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Statement in Opposition to HB 1778 & 2760.

W. B. Tichenor, 3517 Briarmont Ave., Apt 104, Columbia, MO 65201-4214
 wbtichenor@gmail.com

I submit this written testimony in opposition to HB 1778 (Missouri Religious Freedom Protection Act) and HB 2760 (Protecting Religious Assembly in States of Emergency) and opposing the passing of these bills out of committee.

HB 1778 and HB 2760 are part of the response to the Covid-19 Pandemic of 2020 which extended into May 2023. The Pandemic resulted in over 104.5 million confirmed case in the US and over 1.16 million deaths from 2020 to May 2023. The Pandemic was an extraordinary public health even. Therefore, it was necessary for state and local governments to take extraordinary measures in attempts to protect the health of all citizens. Some of those measures required closing of businesses and entities holding public gatherings, which included house of worship.

It would appear both of these bills find their basis in a misdirected and/or misinformed view that houses of worship and the activities of religious groups were being targeted by state and local authorities when it was necessary to restrict public gatherings in order to protect the public at large from the Covid-19 virus. The proposed legislation ignores that the issuance of public health orders limiting or prohibiting public gatherings were directed toward business and other entities without any motivation against houses of worship or individuals of any or all religious sects. The public health orders were in no sense an attempt to persecute or discriminate against individuals or places of worship based on any religious test, criterial, or motivation.

In other words, the public health orders were not grounded upon any attempt or intent to deny anyone's First Amendment rights of free exercise. To the extent that places of worship had to suspend gathering to hold services this was a collateral result. What these two pieces of legislation seek is to carve out a specific religious exemption, a religious privilege which places religious groups and places of worship outside the purview of life-saving health rules to which similar gatherings would be subject. In other words, HB 1778 and HB 2760 favor religious entities and adherents over non-religious entities and adherents. That is an infringement of the Establishment Clause by creating what is a religious privilege, denying the same privilege to non-religious groups and facilities.

During the Covid-19 Pandemic the courts stepped in to address instances where government wrongly targeted religious institutions. At the same time, the courts rejected challenges brought by religious bodies because the courts noted that religious gatherings were being treated like similar gatherings. In other words, the public health orders had no anti-religious bias but were generic in their way of protecting the health of the public at large. Religious gatherings should be treated like similar gatherings. Houses of worship should not be subject to harsher rules than similar organizations, but there should not be a special pandemic privilege for religion.

Both bills recognize there is a rightful role and responsibility of government in the area of public safety with regard to religious buildings. HB 1778 prevents excluding places of worship from complying with applicable building and fire codes. One has to question, if houses of worship are to be exempt from public health orders because of a free-exercise argument, why would that likewise not apply to building and fire codes. Those codes can mandate the closing of a building, just as surely as a public health order. Essentially, the bill admits there is a proper roll for government to establish rules, regulations and orders which are for the public in general, which is what public health orders are.

HB 2760 acknowledges that government issued emergency evacuation orders (seven different types of incidents) should apply to houses of worship to prevent worshipers from gathering. No sound rational can be put forth as to why these seven types of danger warrant denying free exercise, but the danger of a deadly pandemic should be beyond the reach of government to protect its citizens.

Pandemics do not differentiate between religious and non-religious folks or buildings. Pandemics are equal opportunity diseases and killers. In the event of another pandemic, Missouri should not and must not place itself in the middle of a public health disaster and crisis by allowing religious gathers to be super-spreader events during such a crisis.

It is inconceivable that the framers of the Constitution envisaged that the Free-Exercise Clause could, should, or would be used to thwart legitimate public health efforts to protect the populace from a pandemic. Quite frankly, both Jefferson and Madison, the architects of the Establishment and Free-Exercise Clauses, were far more intelligent than to recognize any benefit from the enactment of HB 1778 or HB 2760.

I urge a "NO" vote on passing both of these measures out of Committee. There are far more important measures and issues for the General Assembly to address in this session.

###