## Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

**Part I: Measure Information** 

Bill Request #: 1466
Bill #: HB 372 HCS 1
<b>Document ID</b> #:
Bill Subject/Title: AN ACT relating to protections of religious organizations
Sponsor: None
Unit of Government: x City x County x Urban-County Unified Local x Charter County x Consolidated Local x Government
Office(s) Impacted: all
Requirement: <u>x</u> Mandatory Optional
Effect on  Powers & Duties:x _ Modifies Existing Adds New Eliminates Existing

## Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 372 HCS 1 would create a new section of KRS 344 to define "religious organization," and would establish factors for determining whether an organization is religious for purposes of the section. HB HCS 1 would establish that no religious organization, its employees acting within the scope of their employment, or a member of the clergy may be required to perform a marriage or to provide services, accommodations, facilities, goods, or privileges for a purpose related to performance of a marriage if the action would violate a sincerely held religious belief. Refusal to take such action would not be grounds for a civil cause of action nor grounds for action by the state or a political subdivision to penalize, withhold benefits or privileges, tax exemptions, governmental contracts, grants or licenses from a religious organization or individual. The bill would establish a sincerely held religious belief as a defense to a civil action for refusal to provide services, accommodations, facilities, goods, or privileges under the section.

HB 372 HCS 1 implicates no immediate monetary or budgetary matters and it is believed the bill would have a minimal fiscal impact on local governments.

## Part III: Differences to Local Government Mandate Statement from Prior Versions

HB 372 HCS 1 eliminates the majority of the provisions of the bill as introduced but would still protect religious organizations from government sanction as a result of action based on the organization's sincerely held religious beliefs regarding marriage.

HB 372 as introduced would create several new sections of KRS Chapter 344, titled Civil Rights, to prohibit state government and its political subdivisions from taking any "discriminatory actions" against a religious organization based on the religious organization's sincerely held religious beliefs or moral convictions regarding the sex of individuals who may marry and the immutability of one's biological sex as determined by anatomy and genetics at birth.

The local government mandate statement for HB 372 HCS 1 is the same as for the bill as introduced. HB 372 HCS 1 would have minimal fiscal impact on local governments.

**Data Source(s):** LRC staff; Department for Local Government

**Preparer:** Mary Stephens **Reviewer:** KHC **Date:** 3/15/18