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Testimony supporting HB 2260 – Kansas Religious Freedom Restoration Act
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The very first communities in this nation were made up of people who came to our shores in a quest to secure the liberty to worship and express their faith as they saw fit. Escaping from the culture in their homelands they set out to establish societies and communities in America as a statement that their religious freedom was important. It was so important that they made the harrowing journey across uncharted waters to stand for what they believed hoping to shake off the shackles of the burdensome government directing or interfering with their religious practices and their faith.

James Madison, who drafted the Bill of Rights to our Constitution, is quoted as saying “Religion must be left to the conviction and conscience of every man; and it is the right of every man to exercise it as these may dictate. This right is in its nature an unalienable right.”

In Kansas and America today we see the government at all levels seeking to interfere in the expression of faith and the exercise of religion. Whether it is through legal precedent, education policy, federal law, local ordinances or intrusive regulation, the free expression of and practice of religion has come under attack in the United States. The examples are numerous and varied in their scope, however all of them bear similarity in that they attempt to hamper the Constitutional right to expression of religion. The message is always the same in these cases; religious views must be compromised or forfeited in order to exist with current progressive laws, rules or legal precedents. It is ironic that the very freedoms that established this nation and set aside the protections afforded to religion somehow seem to be forgotten and discarded as they are deemed too old fashioned to exist in what the culture is now telling

us is a post-modern society. It would seem that our culture is content telling people of faith that their beliefs are unacceptable and unnecessary should anyone be offended or inconvenienced by their practice.

In 2006, Catholic Charities in Boston Massachusetts announced that its adoption services would cease operations. In Massachusetts, despite specific instruction and teaching from the Vatican, a combination of progressive state laws and activist court decisions placed Catholic Charities in a position where they had to decide whether to change their practices in violation of their beliefs in order to keep their adoption services license or hold fast to the beliefs and principles of their Church and end over 100 years of adoption services. Rather than change fundamental beliefs, they chose to cease operations.

In the past few weeks, the federal government and the Department of Health and Human Services have issued mandates that require religious institutions to provide health care coverage for employees including birth control devices and medication including drugs in the Plan B category such as RU486 and Ella. Some religious institutions oppose birth control for a number of reasons and even more oppose abortion and abortifacient drugs like Ella and Plan B which would be required under the new healthcare mandate. Individuals belonging to religions with deeply held beliefs about life and who are opposed to abortion feel that regardless of any cost involved, requiring them to subscribe to and/or pay for insurance that covers these categories of medicine is a violation of their faith and the things they have been taught as sacred.

In a similar vein it is important to enact measures to protect healthcare personnel, pharmacists and nurses who may have religious objections to abortion and abortion related procedures. While it is not yet known what other mandates and requirements will be forthcoming from the current administration, protections afforded in HB 2260 would be welcome by many healthcare professionals of deeply held religious beliefs as a protective measure looking into the future.

Lastly, it is important to look at the issue of religious liberty as it relates to Parental Rights. Recently, a number of national groups have been seeking to implement troubling policies at the local school district level to combat bullying. While bullying is a very serious problem that needs to be addressed, the issue has been turned into a political movement seeking to introduce the homosexual agenda into our classrooms as part of the curriculum. School Districts in Kansas have been given discretion to address violence and harassment according to their own local prerogatives; however troubling national curricula are becoming part of the educational process in many schools across the nation. This is a grave concern

for parents who seek to teach their children basic fundamental beliefs at home where they raise their children to believe certain incontrovertible truths. We find that those beliefs challenged and abrogated in the classroom where progressive anti-bullying policies are being taught. Kansas Family Policy Council believes that whether it is sex education, evolution or anti-bullying policies, certain religious liberties protections need to be in place for parents regarding things what their children hear in school.

The Kansas Family Policy Council strongly encourages this committee to favorably approve HR 2260. The movement nationally and in Kansas seems to be one toward a culture that seeks to impose radical viewpoints on all citizens regardless of deeply held religious convictions. The message is that people of faith should become accepting of and indeed complicit in progressive agendas that run counter to their beliefs. Consequences of clinging to religious tenets can be costly legal action, punitive damages and even loss of livelihood. All of which are attempts to force individuals into situations where they are compelled to violate their own belief system or become ostracized for standing on their beliefs. While our national government, school districts and cities across the state seek to adopt policies and ordinances that open the door to legal claims that undermine religious liberties it is abundantly clear that protections need to be adopted and the state needs to take the lead in this matter.

Currently over a dozen states have adopted Religious Freedom Restoration Acts – Kansas should follow suit. In a day and age when the federal government and its enormous bureaucracy seem to be seeking to further impose its will upon people of faith by weakening protections through regulation and activist court decisions, it has become incumbent upon the individual states to enact protections and safeguards.

The United States Supreme Court ruled unconstitutional, those portions of the Federal Religious Freedom Restoration Act that applied to the states thereby weakening the legal standard that protects individuals and their religious liberty. As such it is up to each state legislature to take up the cause and enact measures that strengthen and protect religious liberty. With more and more progressive rules, laws and ordinances coming to bear on the lives of Kansans which place religious liberty in jeopardy, it only seems right that the state take the lead in enacting protections and safeguards against legal claims such as those noted above, among others.

Thank you for your time – KFPC encourages your support of HB 2260.