

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 478

By: Brooks

4  
5  
6 AS INTRODUCED

7 An Act relating to marriage; providing short title;  
8 prohibiting governmental entities from requiring  
9 certain individuals and entities to conduct certain  
10 services under certain circumstances; stating certain  
11 actions non-applicable to certain refusal of  
12 activities; allowing procedure for replacement of  
13 services under certain circumstances; prohibiting  
14 disciplinary action under certain circumstances;  
15 defining term; providing for codification; providing  
16 an effective date; and declaring an emergency.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 7.1 of Title 43, unless there is  
20 created a duplication in numbering, reads as follows:

21 A. This act shall be known and may be cited as the "Protection  
22 of Religious Freedom in the Sanctity of Marriage Act of 2015".

23 B. Notwithstanding any other provision of law, no individual  
24 or religious entity shall be required by any governmental entity to  
do any of the following, if it would be contrary to the sincerely

1 held religious beliefs of the individual or religious entity  
2 regarding sex or gender:

3 1. Provide any services, accommodations, facilities, goods or  
4 privileges related to conducting any marriage, domestic partnership,  
5 civil union or similar arrangement;

6 2. Solemnize any marriage, domestic partnership, civil union or  
7 similar arrangement; or

8 3. Treat any marriage, domestic partnership, civil union or  
9 similar arrangement as valid.

10 SECTION 2. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 7.2 of Title 43, unless there is  
12 created a duplication in numbering, reads as follows:

13 A. Notwithstanding any other provision of law, no refusal by an  
14 individual or religious entity to engage in any activity described  
15 in Section 1 of this act shall result in:

16 1. A civil claim or cause of action under state or local law  
17 based upon such refusal; or

18 2. An action by any governmental entity to penalize, withhold  
19 benefits from, discriminate against or otherwise disadvantage any  
20 protected individual or religious entity under any state or local  
21 law.

22 B. If an individual employed by a governmental entity or other  
23 nonreligious entity invokes any of the protections provided by  
24 Section 1 of this act as a basis for declining to provide a lawful

1 service that is otherwise consistent with the entity's duties or  
2 policies, the individual's employer shall either promptly provide  
3 another employee or official to provide such service or shall  
4 otherwise ensure that the requested service is provided, if it can  
5 be done without undue hardship to the employer.

6 Any person who has authority to take, direct others to take,  
7 recommend or approve any personnel action shall not take any  
8 personnel disciplinary action with respect to any employee that  
9 invokes the protections of Section 1 of this act.

10 For purposes of this section, "disciplinary action" means any  
11 direct or indirect form of discipline, any dismissal, demotion,  
12 transfer, reassignment, suspension, reprimand, admonishment, warning  
13 of possible dismissal, reduction in force, reduction in rank,  
14 reduction in status or withholding of work.

15 SECTION 3. This act shall become effective July 1, 2015.

16 SECTION 4. It being immediately necessary for the preservation  
17 of the public peace, health and safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

20

21 55-1-1070 MD 6/3/2015 11:30:46 AM

22

23

24