

State of South Dakota

EIGHTY-NINTH SESSION LEGISLATIVE ASSEMBLY, 2014

691V0031

SENATE BILL NO. 66

Introduced by: Senators Otten (Ernie), Begalka, Ewing, Holien, Jensen, Krebs, Lederman, Maher, Monroe, Omdahl, Rampelberg, Rave, Rhoden, and Van Gerpen and Representatives Hickey, Bolin, Campbell, Craig, Kaiser, Kopp, Latterell, Nelson, Olson (Betty), Otten (Herman), Russell, Stalzer, Steele, and Verchio

1 FOR AN ACT ENTITLED, An Act to provide immunity to clergy, lay officials, and religious
2 organizations that decline to provide certain marriage services.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. This Act is intended and shall be construed to further the compelling
5 governmental interest of protecting the free exercise of religion.

6 Section 2. Nothing in this Act is intended to burden any person's or religious organization's
7 freedom of religion including the right of an individual or entity to deny services if providing
8 those goods or services would be contrary to the individual's or entity's sincerely held religious
9 beliefs, philosophical beliefs, or matters of conscience.

10 Section 3. No member of the clergy nor lay official of any church or religion may be
11 required to solemnize any marriage, provide services, accommodations, facilities, goods, or
12 privileges for a purpose related to the solemnization, formation, or celebration of any marriage,
13 or treat any marriage as valid for any purpose if such action would cause any such entity or
14 individual to violate their sincerely held religious beliefs.



1 Section 4. No refusal to provide services, accommodations, facilities, goods, or privileges
2 protected by this Act gives rise to a civil or criminal claim or cause of action or any action by
3 the state or any of its political subdivisions to penalize or withhold benefits or privileges,
4 including tax exemptions or governmental contracts, grants, or licenses, from any protected
5 organization or individual.