House File 508 - Introduced

HOUSE FILE 508

BY SHERMAN, CISNEROS,

STOLTENBERG, M. THOMPSON,

DIEKEN, OSMUNDSON, GERHOLD,

and THOMSON

A BILL FOR

- 1 An Act protecting religious liberty and state sovereignty
- 2 relating to marriage.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

H.F. 508

- 1 Section 1. RELIGIOUS LIBERTY RECOGNITION OF
- 2 MARRIAGE. The state of Iowa recognizes freedom of religion
- 3 as an unalienable right and recognizes the institution of
- 4 marriage as a sacred religious sacrament that is inextricably
- 5 and fundamentally bound with free exercise of that right. The
- 6 state of Iowa also recognizes the deep historical and religious
- 7 roots that uniformly defined and understood marriage to be the
- 8 union between one male and female. Therefore, no resident of
- 9 Iowa shall be compelled, coerced, or forced to recognize any
- 10 same-sex unions or ceremonies as marriage, notwithstanding
- 11 any laws to the contrary that may exist in other states, and
- 12 no legal action, criminal or civil, shall be taken against
- 13 citizens in Iowa for refusal or failure to recognize or
- 14 participate in same-sex unions or ceremonies.
- 15 Sec. 2. RECOGNITION OF THE NULLITY OF CERTAIN FEDERAL ACTS
- 16 RELATIVE TO THE STATE OF IOWA. The state of Iowa considers
- 17 certain elements of the federal Respect for Marriage Act, Pub.
- 18 L. No. 117-228, relating to the definition of marriage to be
- 19 null and void ab initio and to have no effect whatsoever in
- 20 Iowa for the following reasons:
- 21 1. Any attempt by the federal entity to erect a legal
- 22 definition of marriage plainly falls outside the enumerated
- 23 powers of Article I, section 8, of the Constitution of the
- 24 United States.
- 25 2. Any attempt by the federal entity including Congress
- 26 to define or redefine marriage violates the establishment
- 27 clause of the first amendment to the Constitution of the United
- 28 States.
- 29 3. The Respect for Marriage Act violates the tenth amendment
- 30 to the Constitution of the United States by encroaching upon
- 31 state powers that are reserved to the states or to the people.
- 32 EXPLANATION
- 33 The inclusion of this explanation does not constitute agreement with
- 34 the explanation's substance by the members of the general assembly.
- 35 This bill relates to protecting religious liberty and state

pf/rh

H.F. 508

- 1 sovereignty relating to marriage.
- 2 The bill provides that the state of Iowa recognizes freedom
- 3 of religion as an unalienable right and recognizes the
- 4 institution of marriage as a sacred religious sacrament that is
- 5 inextricably and fundamentally bound with free exercise of that
- 6 right. The state of Iowa also recognizes the deep historical
- 7 and religious roots that uniformly defined and understood
- 8 marriage to be the union between one male and female.
- 9 Therefore, no resident of Iowa shall be compelled, coerced,
- 10 or forced to recognize any same-sex unions or ceremonies as
- 11 marriage, notwithstanding any laws to the contrary that may
- 12 exist in other states, and no legal action, criminal or civil,
- 13 shall be taken against citizens in Iowa for refusal or failure
- 14 to recognize or participate in same-sex unions or ceremonies.
- 15 The bill also specifies reasons why the state of Iowa
- 16 considers certain elements of the federal Respect for Marriage
- 17 Act, Pub. L. No. 117-228, relating to the definition of
- 18 marriage to be null and void ab initio and to have no effect
- 19 whatsoever in Iowa.