

JAN 26 2011

A BILL FOR AN ACT

RELATING TO REFUSAL TO PROVIDE SERVICES OR ACCOMMODATIONS FOR
THE SOLEMNIZATION OR CELEBRATION OF SAME-SEX MARRIAGES,
CIVIL UNIONS, AND OTHER SAME-SEX UNIONS ON RELIGIOUS
GROUNDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 572, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§572- Refusal to provide services or accommodations
5 related to the solemnization or celebration of same-sex
6 marriages, civil unions, or other same-sex unions on religious
7 grounds. (a) Notwithstanding any other provision of law to the
8 contrary, a religious institution shall not be required to
9 provide benefits to an individual or individuals if the request
10 for the benefits is related to the solemnization or celebration
11 of a same-sex marriage, civil union, or other same-sex union and
12 the solemnization or celebration is in violation of the beliefs
13 or faith of the religious institution. Any refusal to provide
14 the benefits in accordance with this section shall not create
15 any civil claim or cause of action, or result in any state



1 action to penalize or withhold benefits from the religious
2 institution.

3 (b) For purposes of this section:

4 "Benefits" means services, accommodations, benefits,
5 advantages, facilities, goods, or privileges.

6 "Religious institution" means a religious institution or
7 organization or a religious or charitable organization that is
8 operated, supervised, or controlled by a religious institution
9 or organization."

10 SECTION 2. If an Act is enacted during the 2011
11 legislative session that amends the Hawaii Revised Statutes by
12 adding a new chapter relating to civil unions, then the revisor
13 is authorized to insert the new section established under
14 section 1 of this Act into the new chapter in lieu of adding the
15 new section to chapter 572, Hawaii Revised Statutes.

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *Anna Inoué*

Mike Gabbard

Samuel A. Alon

Will Eyo



Report Title:

Refusal to Provide Benefits; Solemnization or Celebration of Same-Sex Marriages; Civil Unions; Same-Sex Unions on Religious Grounds

Description:

Exempts from liability a religious institution or religious or charitable organization operated, supervised, or controlled by a religious institution, that refuses to provide services or accommodations relating to the solemnization or celebration of a same-sex marriage, civil union, or other same-sex union on religious grounds.

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