



To: Judiciary Committee
From: Tom Venzor, Executive Director
Nebraska Catholic Conference
Subject: LB627 (SOGI Non-Discrimination) (Oppose)
Date: February 7, 2019

Chairman Lathrop and Members of the Judiciary Committee,

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church by engaging, educating, and empowering public officials, Catholic laity, and the general public. I am here today to express opposition for LB627 on behalf of the Conference.

The Catholic faith recognizes the supreme dignity of every person as made in the image and likeness of God. The only appropriate response to this reality is charity. For this reason, the Catholic faith also recognizes that nobody, including those who are experiencing same-sex attraction or gender identity issues, should be subject to unjust discrimination.¹ In other words, everyone should be treated with respect and dignity.

LB627, unfortunately, goes beyond protecting against unjust discrimination. LB627 uses government coercion and punishment to force individuals, employers, small business owners, non-profits entities, religious organizations, among others, to affirm conduct and messages that conflict with their sincerely held moral and/or religious beliefs on marriage and human sexuality. Even former Supreme Court Justice Anthony Kennedy recognized such a view on marriage “long has been held—and continues to be held—in good faith by reasonable and sincere people here and throughout the world.”² LB627 does not treat those with differing views as reasonable and sincere people, but in need of corrective government coercion and punishment.

LB627 contains at least a few other issues worth briefly noting.

First, LB627 undermines the ability of an employer to carry out their business in accord with their mission. For example, it would prohibit a Christian bookstore owner from being able to hire or conduct their business in accord with their faith-based mission. Ironically, it would also place restrictions on, for example, a gay bar owner who would desire to conduct their business in accord with their mission.

¹ See *Catechism of the Catholic Church*, paragraphs 2357-2359.

² *Obergefell v. Hodges*, 135 S.Ct. 2584, 2594 (2015).

Second, LB627 makes no attempt at adding religious liberty protections. It leaves in place current law protecting the ability of religious organizations to hire on the basis of religion.³ Current law also allows “bona fide occupational qualifications” on the basis of sex.⁴ LB627, however, fails to address such nuances with respect to the added categories of sexual orientation and gender identity.

Third, LB627 undermines real concerns for privacy. LB627’s reach extends to the “terms, conditions, or privileges of employment, because of the individual’s...gender identity.”⁵ The terms, conditions, and privileges of employment include the use of multi-user locker rooms, restrooms, showers, among other facilities. LB627 creates legitimate privacy concerns in our public, parochial, and private schools, churches, supermarkets, and restaurants, just to name a few examples.

The Nebraska Catholic Conference urges your opposition of LB627. Thank you for your time and consideration.

³ Neb. Rev. Stat. §48-1103.

⁴ Neb. Rev. Stat. §48-1108.

⁵ LB627, Sec. 9(1).