

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to amend the Code of Virginia by adding a section numbered 57-2.03, relating to religious
3 freedom; marriage solemnization, participation, and beliefs.

4 [S 1324]
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 57-2.03 as follows:**

8 **§ 57-2.03. Religious freedom; marriage.**

9 A. For purposes of this section, unless the context requires a different meaning:

10 "Penalty" means any action taken by the Commonwealth, or its political subdivisions or
11 representatives or agents, that (i) alters in any way the tax treatment of, or causes any tax, tax penalty,
12 or payment to be assessed against, or denies, delays, or revokes an exemption from taxation of, any
13 person; (ii) disallows a deduction for tax purposes of any charitable contribution made to or by any
14 person; or (iii) withholds, reduces, excludes, terminates, or otherwise makes unavailable or denies (a)
15 any state grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license,
16 certification, accreditation, employment, or other similar position or status from or to any person; (b)
17 any entitlement or benefit under a state benefit program, including admission to, equal treatment in, or
18 eligibility for a degree from an educational program, from or to any person; or (c) any entitlement to
19 state property, facilities, educational institutions, speech forums, or charitable fundraising campaigns
20 from or to any person.

21 "Person" means any (i) religious organization; (ii) organization supervised or controlled by or
22 operated in connection with a religious organization; (iii) individual employed by a religious
23 organization while acting in the scope of his paid or volunteer employment; (iv) successor,
24 representative, agent, agency, or instrumentality of any of the foregoing; or (v) clergy member or
25 minister.

26 B. No person shall be:

27 1. Required to participate in the solemnization of any marriage; or

28 2. Subject to any penalty by the Commonwealth, or its political subdivisions or representatives or
29 agents, notwithstanding any other provision of law, solely on account of such person's belief, speech, or
30 action in accordance with a sincerely held religious belief or moral conviction that marriage is or
31 should be recognized as the union of one man and one woman.