

North Carolina's planned 'religious freedom' bills waste time, money on unfairness

By Chris Sgro

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First thing on the opening day of the N.C. General Assembly's 2015 session, Rep. Paul "Skip" Stam announced that he would host a legislative briefing on "religious freedom" on Jan. 28.

When Stam, a Wake County Republican, uttered the words "religious freedom," he was referencing patently discriminatory legislation suggested in 2014 by N.C. Senate leader Phil Berger that would allow magistrates and other state employees to deny same-sex couples marriage licenses for religious reasons.

Stam recently railed against a bipartisan bill that would have protected gay and transgender children in charter schools, so his acting as the mouthpiece for this announcement was not surprising. But the timing was.

On the same day, new House Speaker Tim Moore, a Cleveland Republican, also told media, "Everything we should do should be focused on bringing more jobs to the state."

Given that "religious freedom" bills are not job creators, it's hard to reconcile the two positions.

Such "Turn Away the Gays" bills have drawn the ire of the business community – from corporate behemoths like American Airlines and Apple in Arizona to the Mississippi Chamber of Commerce. As a result, most have failed.

We are heartened that, even in conservative states like Arizona and Mississippi, legislation seen as blessing discrimination in the name of religion has proven difficult to pass. Organizations like Equality NC and our coalition partners will continue to fight any efforts like these. We want to protect not only the LGBT community but also North Carolina's reputation as a place welcoming to all.

When public servants can deny any North Carolinian service, that's not religious freedom, that's discrimination. This conversation, in fact, has nothing to do with religion.

Stam has suggested that North Carolina’s legislation will be in accord with the federal Religious Freedom Restoration Act, albeit modified if Berger’s version is proposed, to directly single out the state’s LGBT community.

In 1997, the U.S. Supreme Court ruled that RFRA doesn’t apply to state and local governments. And courts have found that laws denying North Carolinians marriage licenses on religious grounds (i.e., interracial marriages) are unconstitutional.

The people of North Carolina have told state leaders time and time again that their priorities are jobs, access to better education and health care, and basic fairness for all – issues that appear to be falling on deaf ears in Raleigh. That’s why all North Carolina residents, regardless of ideology, should be concerned by Stam’s announcement – especially the business community.

In the end, this is about government actors respecting the law, doing their jobs and treating everyone fairly. And when we say our state is open for business, that means North Carolina must be open for all.

If history is any guide, bills proposed at the expense of basic fairness will trigger a lengthy and divisive debate over futile and discriminatory efforts already found unconstitutional at a cost of tens of thousands of taxpayer dollars a day.

When legislators like Stam and Berger propose such bills, they’re wasting time and our money. We expect common-sense legislators on both sides of the aisle to oppose such wasteful measures.

Chris Sgro is executive director of Equality NC.

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