

Freedom of religion is one of our most fundamental rights as Americans. That's why it's protected in the state and federal constitution. But that freedom does not give any of us the right to harm or discriminate against others. One of the very real consequences of HB 218, as it's currently written, is that it opens the door to increased discrimination against LGBT Georgians—by both individuals and corporations.

If enacted, government employees could refuse to serve lesbian, gay, bisexual and transgender people. A homeless shelter that receives government funding to provide social services could refuse shelter to same-sex couple by saying it goes against its religious beliefs. A guidance counselor could refuse to help a transgender teenager by saying it goes against her religious beliefs. Government officials who have sworn an oath to serve the public shouldn't be able to pick and choose who they're going to serve based on their religious beliefs—but HB 218 could allow them to do just that.

HB 218 could also allow businesses and corporations to discriminate; unless the bill explicitly states that it does not apply to for-profit entities, O.C.G.A. § 1-2-1 and decisions of the Georgia Supreme Court—which define a "person" to include corporations and businesses—will apply. Thus, a hotel owner could point to HB 218 as justification for refusing to provide a room to a same-sex couple. A restaurant could deny service to a group of LGBT patrons. A hospital could refuse to provide medical care or information to a transgender person. Businesses that are open to the public should be open to everyone on the same terms, including to customers who are lesbian, gay, bisexual or transgender—but HB 218 could open the door to businesses refusing service to someone simply because of who they are or who they love.

This law would allow individuals and corporations to claim that their religious beliefs allow them to refuse to follow laws that prohibit discrimination in employment and public services. Georgia does not want a broad, ill-defined law that could allow some people to use one set of religious beliefs to hurt or discriminate against others.

The Family Research Council and the Faith and Freedom Coalition have been two the most vocal organizations calling for legislation like HB 218 to be enacted in Georgia and other states. Both organizations have a long history of extreme intolerance toward lesbian, gay, bisexual and transgender people. Their interest in advancing legislation of this nature has risen only recently, just as marriage for same-sex couples is sweeping across the country. We do not believe this to be a coincidence. We believe they're seeking to create a "license to discriminate" against lesbian, gay, bisexual and transgender people.

Although they haven't been able to clearly articulate any immediate or urgent need for this legislation, Family Research Council and the Faith and Freedom Coalition have pointed to the firing of former Atlanta Fire Chief Kelvin Cochran as the key reason why this bill is needed. The City of Atlanta terminated Chief Cochran for distributing material to his subordinates at work

without permission. In these materials, Cochran described LGBT people as “vile” and “vulgar.” He described being gay as a “perversion,” in addition to other out-of-touch and harmful remarks about women and Jewish people. He gave these materials to his employees unsolicited. Proponents of HB 218 hope that this legislation will protect others who, like Chief Cochran, force their religious beliefs on their employees.

As Atlanta Mayor Kasim Reed said at the time, there needs to be “an environment in government where everyone, no matter who they love, can come to work from 8 to 5:30, do their job, and go home without fear of being discriminated against... This isn’t just about the LGBT community, this is about how we treat each other.” Any legislation that could allow discrimination against anyone isn’t following one of our most important values—treating others the way we want to be treated.

We urge you to reject HB 218—to ensure that Georgia’s brand remains welcoming, that discrimination against LGBT people isn’t invited, and that everyone is treated fairly and with respect.

Sincerely,

American Civil Liberties Union

Believe Out Loud

Bisexual Resource Center

The Center For Black Equity

CenterLink: The Community of LGBT Centers

Consortium of Higher Education LGBT Resource Professionals

Equality Federation

Family Equality Council

Gay, Lesbian & Straight Education Network (GLSEN)

GLAAD

GLMA: Health Professionals Advancing LGBT Equality

Human Rights Campaign

International Gay and Lesbian Human Rights Commission

Marriage Equality USA

National Center for Transgender Equality

National Coalition of Anti-Violence Programs

National Gay & Lesbian Chamber of Commerce (NGLCC)

National LGBTQ Task Force

National Minority AIDS Council

National Queer Asian Pacific Islander Alliance (NQAPIA)

Pride At Work

Services & Advocacy for GLBT Elders (SAGE)

Trans People of Color Coalition