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REPRESENTATIVE DAVE TALERICO

Sponsor Statement for House Bill 236

“An Act relating to marriage solemnization.”

A key component of the United States Constitution is the secure fundamental right to freely worship and practice religion in America found in the First Amendment. House Bill 236 clarifies the rights for clergy in Alaska. It acknowledges that those authorized to solemnize a marriage may not be forced to violate their religious beliefs nor will their religious freedom be coerced by the government or the courts.

Alaska Statute 25.05.261 provides that three entities are authorized to solemnize marriages – 1) religious leaders of churches or congregations in the state, 2) a marriage commissioner or judicial officer of the state, or 3) any religious organization or congregation according to the established ritual or form commonly practiced in the organization or congregation. The intent of this legislation is narrowly focused on those individuals who are authorized to solemnize a marriage in AS 25.05.261 (a) (1) or (3).

HB 236 states that clergy in their official capacity may refrain from participating in solemnizing a marriage, providing services, accommodations, facilities or goods related to the solemnization of a marriage without legal ramifications. This bill will not marginalize any marriage relationship, but simply protects the right of all religious leaders to conduct marriage ceremonies according to their beliefs.

While the Constitution clearly states that all Americans, including clergy, have the right to freely practice their religion, there is currently a dangerous trend in America towards the erosion of religious liberty. House Bill 236 affirms the crucial freedom of clergy and religious institutions to celebrate and solemnize marriages in accordance with their deeply held beliefs.

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