Religious Exemption Laws

Religious Exemption Laws: State religious exemption laws permit people, churches, non-profit organizations, and sometimes corporations to seek exemptions from state laws that burden their religious beliefs.

Services: Targeted state religious exemption laws permit people, churches, non-profit organizations, and sometimes corporations to seek exemptions from providing services that burden their religious beliefs, including child welfare agencies and medical providers.

Marriage Solemnization: Targeted state religious exemption laws permit state and local officials to decline to marry couples of whose marriage they disapprove.

Child Welfare: Targeted state religious exemption laws permit child placing agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs.

No update needed since January 24, 2020

Alabama
- State has broad constitutional religious exemption law
  - See Ala. Const. art I, § 3.01 (1999)
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs. This exemption is only permitted for agencies that do not receive government funding.
  - See Ala. HB 24 (2017)
- State has targeted religious exemption that permits medical professionals to decline to serve LGBT clients
  - See Ala. HB 95 (2017)

Alaska
- State has no religious exemption law

Arizona
- State has broad statutory religious exemption law
Arkansas
  • State has broad statutory religious exemption law
    ○ See Arkansas Code, Titl 16, Ch 123, Sec 401 (2015)

California
  • State has no religious exemption law

Colorado
  • State has no religious exemption law

Connecticut
  • State has broad statutory religious exemption law

Delaware
  • State has no religious exemption law

District of Columbia
  • State has no religious exemption law

Florida
  • State has broad statutory religious exemption law

Georgia
  • State has no religious exemption law

Hawaii
  • State has no religious exemption law

Idaho
  • State has broad statutory religious exemption law

Illinois
  • State has broad statutory religious exemption law
  • State has targeted religious exemption that permits medical professionals to decline to serve LGBT clients
    ○ See 745 ILCS 70/1 (2016)
Indiana
• State has broad statutory religious exemption law

Iowa
• State has no religious exemption law

Kansas
• State has broad statutory religious exemption law
  o See K.S.A. 60-5301-05 (2013)
• State has targeted religious exemption that that permits private businesses to deny services to married same-sex couples
  o See Kansas Executive Order 15-05 (2015)
• State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs
  o See SB 284 (2018)

Kentucky
• State has broad statutory religious exemption law

Louisiana
• State has broad statutory religious exemption law

Maine
• State has no religious exemption law

Maryland
• State has no religious exemption law

Massachusetts
• State has no religious exemption law
Michigan
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs. This exemption is only permitted for agencies that do not receive government funding.
  - See HB 4188 (2015), HB 4189 (2015), and HB 4190 (2015)
  - See Dumont settlement (2019)

Minnesota
- State has no religious exemption law

Mississippi
- State has broad statutory religious exemption law
  - See SB 2681 (2014).
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs.
  - See HB 1523 (2016)
- State permits state officials to decline to marry couples of whose marriage they disapprove
  - See HB 1523 (2016)
- State permits medical professionals to decline to serve LGBT clients.
  - See HB 1523 (2016)

Missouri
- State has broad statutory religious exemption law

Montana
- State has no religious exemption law

Nebraska
- State has no religious exemption law

Nevada
- State has no religious exemption law

New Hampshire
- State has no religious exemption law
New Jersey
- State has no religious exemption law

New Mexico
- State has broad statutory religious exemption law

New York
- State has no religious exemption law

North Carolina
- State has targeted religious exemption law that permits state and local officials to decline to marry couples of whose marriage they disapprove.

North Dakota
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs

Ohio
- State has no religious exemption law

Oklahoma
- State has broad statutory religious exemption law
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs
  - See *SB 1140* (2018).

Oregon
- State has no religious exemption law

Pennsylvania
- State has broad statutory religious exemption law
Rhode Island
- State has broad statutory religious exemption law

South Carolina
- State has broad statutory religious exemption law
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs
  - See HB 4950, §38.29 (2018)

South Dakota
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs
  - See SB 149 (2017).

Tennessee
- State has broad statutory religious exemption law
- State has targeted religious exemption that permits medical professionals to decline to serve LGBT clients
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious beliefs.
  - See HB 836 (2020)

Texas
- State has broad statutory religious exemption law
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious belief
  - See Tex. HB 3859 (2017)
Utah
- State has targeted religious exemption law that permits religious official to decline to marry couples of whose marriage they disapprove; law only applies to religious officials, not government employees

Vermont
- State has no religious exemption law

Virginia
- State has broad statutory religious exemption law
- State permits state-licensed child welfare agencies to refuse to place and provide services to children and families, including LGBT people and same-sex couples, if doing so conflicts with their religious belief
  - See Va. Code Ann § 63.2-1709.3 (2012)

Washington
- State has no religious exemption law

West Virginia
- State has no religious exemption law

Wisconsin
- State has no religious exemption law

Wyoming
- State has no religious exemption law

U.S. Territories
No religious exemptions laws were identified in the U.S. territories.