

HOUSE FILE \_\_\_\_\_  
BY SHERMAN

**A BILL FOR**

1 An Act protecting religious liberty and state sovereignty  
2 relating to marriage.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DRAFT

1 Section 1. RELIGIOUS LIBERTY — RECOGNITION OF  
2 MARRIAGE. The state of Iowa recognizes freedom of religion  
3 as an unalienable right and recognizes the institution of  
4 marriage as a sacred religious sacrament that is inextricably  
5 and fundamentally bound with free exercise of that right. The  
6 state of Iowa also recognizes the deep historical and religious  
7 roots that uniformly defined and understood marriage to be the  
8 union between one male and female. Therefore, no resident of  
9 Iowa shall be compelled, coerced, or forced to recognize any  
10 same-sex unions or ceremonies as marriage, notwithstanding  
11 any laws to the contrary that may exist in other states, and  
12 no legal action, criminal or civil, shall be taken against  
13 citizens in Iowa for refusal or failure to recognize or  
14 participate in same-sex unions or ceremonies.

15 Sec. 2. RECOGNITION OF THE NULLITY OF CERTAIN FEDERAL ACTS  
16 RELATIVE TO THE STATE OF IOWA. The state of Iowa considers  
17 certain elements of the federal Respect for Marriage Act, Pub.  
18 L. No. 117-228, relating to the definition of marriage to be  
19 null and void ab initio and to have no effect whatsoever in  
20 Iowa for the following reasons:

21 1. Any attempt by the federal entity to erect a legal  
22 definition of marriage plainly falls outside the enumerated  
23 powers of Article I, section 8, of the Constitution of the  
24 United States.

25 2. Any attempt by the federal entity including Congress  
26 to define or redefine marriage violates the establishment  
27 clause of the first amendment to the Constitution of the United  
28 States.

29 3. The Respect for Marriage Act violates the tenth amendment  
30 to the Constitution of the United States by encroaching upon  
31 state powers that are reserved to the states or to the people.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with  
34 the explanation's substance by the members of the general assembly.

35 This bill relates to protecting religious liberty and state

1 sovereignty relating to marriage.

2 The bill provides that the state of Iowa recognizes freedom  
3 of religion as an unalienable right and recognizes the  
4 institution of marriage as a sacred religious sacrament that is  
5 inextricably and fundamentally bound with free exercise of that  
6 right. The state of Iowa also recognizes the deep historical  
7 and religious roots that uniformly defined and understood  
8 marriage to be the union between one male and female.

9 Therefore, no resident of Iowa shall be compelled, coerced,  
10 or forced to recognize any same-sex unions or ceremonies as  
11 marriage, notwithstanding any laws to the contrary that may  
12 exist in other states, and no legal action, criminal or civil,  
13 shall be taken against citizens in Iowa for refusal or failure  
14 to recognize or participate in same-sex unions or ceremonies.

15 The bill also specifies reasons why the state of Iowa  
16 considers certain elements of the federal Respect for Marriage  
17 Act, Pub. L. No. 117-228, relating to the definition of  
18 marriage to be null and void ab initio and to have no effect  
19 whatsoever in Iowa.