

FINAL

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APR 06 2012

S. WARD

2:30 P.M.

ELECTIONS/LICENSING
SECRETARY OF STATE

Be it enacted by the voters of the State of Colorado:

In the constitution of the state of Colorado, **amend** section 4 to article II as follows:

Section 4. Religious freedom. The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever hereafter be guaranteed; and no person shall be denied any civil or political right, privilege or capacity, on account of his opinions concerning religion; but the liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness or justify practices inconsistent with the good order, peace or safety of the state. No person shall be required to attend or support any ministry or place of worship, religious sect or denomination against his consent. Nor shall any preference be given by law to any religious denomination or mode of worship. IN ASSESSING WHETHER GOVERNMENT HAS BURDENED FREEDOM OF RELIGION, A PERSON'S OR A RELIGIOUS ORGANIZATION'S RIGHT TO ACT IN A MANNER MOTIVATED BY A SINCERELY HELD RELIGIOUS BELIEF IS THE ABILITY TO ENGAGE IN RELIGIOUS PRACTICES IN THE PRIVACY OF A PERSON'S HOME OR IN THE PRIVACY OF A RELIGIOUS ORGANIZATION'S ESTABLISHED PLACE OF WORSHIP. SIMILARLY, A PERSON'S OR A RELIGIOUS ORGANIZATION'S REFUSAL TO ACT IN A MANNER MOTIVATED BY A SINCERELY HELD RELIGIOUS BELIEF IS THE ABILITY TO REJECT RELIGIOUS PRACTICES IN THE PRIVACY OF A PERSON'S HOME OR IN THE PRIVACY OF A RELIGIOUS ORGANIZATION'S ESTABLISHED PLACE OF WORSHIP. THE "RIGHT TO ACT" AND THE "REFUSAL TO ACT" REFER, RESPECTIVELY, TO THE ABILITY TO ENGAGE IN RELIGIOUS PRACTICES OR TO REJECT PRACTICES THAT CONFLICT WITH ONE'S RELIGIOUS BELIEFS, IN ONE'S HOME OR ANY PLACE A PERSON OR RELIGIOUS ORGANIZATION ESTABLISHES TO HIS OR ITS SATISFACTION TO BE A SITE FOR WORSHIP, PRAYER, OR OTHER RELIGIOUS EXERCISE, PROVIDED THAT THE RIGHT TO ACT OR REFUSAL TO ACT WOULD NOT INTERFERE WITH A COMPELLING GOVERNMENTAL INTEREST. THE "RIGHT TO ACT" AND THE "REFUSAL TO ACT" DO NOT REFER TO, AND THUS DO NOT INCLUDE, THE ABILITY TO ENGAGE IN RELIGIOUS PRACTICES OR REJECT THOSE PRACTICES THAT CONFLICT WITH ONE'S RELIGIOUS BELIEFS IN A MANNER THAT WOULD INTERFERE WITH THE GOVERNMENT'S ABILITY TO PROTECT INDIVIDUALS AND GROUPS AGAINST ANY FORM OF DISCRIMINATION THAT IS PROHIBITED BY STATE OR LOCAL LAW, PROTECT THE HEALTH, SAFETY, OR WELFARE OF INDIVIDUALS OR GROUPS, OR PROTECT AGAINST THE USE OF PUBLIC FUNDS IN VIOLATION OF SECTION 7 OF ARTICLE 9 AND SECTION 34 OF ARTICLE 5 OF THIS CONSTITUTION.