



GOVERNOR GREG ABBOTT

Date: June 26, 2015

To: All State Agency Heads

Re: Preserving Religious Liberty for all Texans

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This Nation was founded by people who sought a place to worship God according to the dictates of conscience and free from government coercion. It is therefore no coincidence that the freedom of religion is the very first freedom guaranteed by the U.S. Constitution. As leaders of this State, we have an obligation to secure the right of all Texans to live their lives according to the principles of their religious faith. The Constitutions and laws of the United States and of this State afford robust protections for religious liberty:

- The First Amendment to the United States Constitution provides that the government “shall make no law . . . prohibiting the free exercise” of religion.
- Article I of the Texas Constitution provides that “[n]o human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion.”
- Chapter 110 of the Texas Civil Practice and Remedies Code, the Texas Religious Freedom Restoration Act, provides that the State, its agencies, its political subdivisions, and municipalities “may not substantially burden a person’s free exercise of religion” unless the agency can prove that the burden “is in furtherance of a compelling governmental interest” “and is the least restrictive means of furthering that interest.”

Texans of all faiths must be absolutely secure in the knowledge that their religious freedom is beyond the reach of government. Renewing and reinforcing that promise is all the more important in light of the Supreme Court’s decision in *Obergefell v. Hodges*. The government must never pressure a person to abandon or violate his or her sincerely held religious beliefs regarding a topic such as marriage. That sort of religious coercion will never be a “compelling governmental interest,” and it will never be “the least restrictive means of furthering that interest.”

Texas RFRA enshrines the foundational principle that religious liberty confined to a sanctuary is not liberty at all, and religious freedom limited to one’s home or thoughts is not freedom at all. The law protects religious liberty not only in houses of worship—but also in schools, in businesses, in the military, in public forums, and in the town square. These protections are afforded to all people, of all faiths. Yet in the wake of the Supreme Court’s decision, the law’s promise of religious liberty will be tested by some who seek to silence and marginalize those whose conscience will not allow them to participate in or endorse marriages that are incompatible with their religious beliefs.

As government officials, we have a constitutional duty to preserve, protect, and defend the religious liberty of every Texan.

With these obligations in mind, I expect all agencies under my direction to prioritize compliance with the First Amendment to the United States Constitution, Article I of the Texas Constitution, and the Texas Religious Freedom Restoration Act. All state agency heads should ensure that no

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one acting on behalf of their agency takes any adverse action against any person, as defined in Chapter 311 of the Texas Government Code, on account of the person's act or refusal to act that is substantially motivated by sincere religious belief. This order applies to any agency decision, including but not limited to granting or denying benefits, managing agency employees, entering or enforcing agency contracts, licensing and permitting decisions, or enforcing state laws and regulations.

Thank you for your dedication to the State of Texas.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Abbott". The signature is written in a cursive, flowing style.

Greg Abbott

Governor of Texas

GA:eed