



Written by [Bob Adelman](#) on November 29, 2022

## Red-state Voters Opposed to “Respect for Marriage Act”

In response to what Democrats perceived as a potential threat to the Supreme Court’s *Obergefell v. Hodges* decision, which ruled that there is a fundamental right somewhere in the Constitution guaranteeing that two people of the same sex can legally be married, they crafted and are about to pass a bill “codifying” that alleged right into law.

The bill about to be voted on, perhaps as early as today, [H.R. 8404](#), is a simple bill with a nasty and potentially devastating paragraph: Anyone who violates the new law may be sued.



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Here’s the language:

No person acting under color of State law may deny “full faith and credit to any public act, record, or judicial proceeding of any other State pertaining to a marriage between 2 individuals, on the basis of the sex, race, ethnicity, or national origin of those individuals”....

Any person who is harmed by a violation of [this section of the law] may bring a civil action in the appropriate United States district court against the person who violated such subsection for declaratory and injunctive relief.

The Heritage Foundation [asked voters in states represented by the five Republicans who allowed this bill to move forward](#) what they really thought about the bill. The sell-out Republican Senators were Todd Young of Indiana, Joni Ernst of Iowa, Mitt Romney of Utah, Shelley Moore Capito of West Virginia, and Cynthia Lummis of Wyoming.

The foundation asked 2,000 voters from those five Republican states how they felt about the bill. Wes Anderson, who ran the poll, wrote:

The results show that conservative voters’ support for the questionably named Respect for Marriage Act is significantly lower than the national media coverage would have you believe. On top of this, when voters are given more information of the impacts of the bill, support slips even further.

Initially, 47 percent opposed the bill while just 42 percent favored it. But when Anderson asked the questions based upon how the bill is likely to impact Christian churches, groups, and charities, the support faded away.

Here are the questions:

1. This law would allow religious organizations to be sued for refusing to perform gay marriages, forcing them to defend their First Amendment rights in court, costing hundreds of thousands of dollars;



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2. This bill would punish faith-based organizations. For example, religious adoption agencies could lose their non-profit status and be forced to close if they refuse to recognize same sex marriage in their operations; and
3. This bill could weaponize the IRS against faith-based organizations, including religious schools, by threatening their nonprofit status for not recognizing same sex marriage.

Support for the bill dropped to 18 percent, 20 percent, and 22 percent, respectively.

Anderson concluded:

These results show that voters' opinions of the Respect for Marriage Act in these five states is not what is being reported.

Voters in these conservative states oppose the bill and this opposition only grows when more information is given.

It is clear that it will take more than a naming misdirect [that is: falsely name the bill as "respecting" the institution of marriage] to convince the GOP base that this bill is not a threat to their religious liberty.

Utah's other Republican senator, Mike Lee, has presented an amendment to the bill to make certain that these possibilities don't become reality. In an opinion piece in Fox News, Lee wrote that "there is a legitimate risk that, without robust protections in place, federal recognition of same-sex marriage could ... inflict harm on those who, for reasons rooted in sincerely held religious belief or moral conviction, do not embrace same-sex marriage."

His amendment would prohibit the federal government from retaliating against any person or group for adhering to those beliefs or convictions. Accordingly, wrote Lee, "my amendment should be a no-brainer."

Lee's amendment will be voted on prior to a vote on the bill itself.



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