# The Utah Compromise

## LGBT Protections
- Bans employment discrimination, including against transgendered individuals
- Requires reasonable workplace accommodations, including for transgendered individuals
- Bans housing discrimination
- Guarantees access to marriage, even in rural areas

## Religious Protections
- Protects the character of faith communities & buildings
- Adds affiliates, religious societies and educational institutions, & Boy Scouts to existing carve-outs for small employers, religious corporations, associations, and subsidiaries
- Permits churches and religious groups to celebrate marriages & do religious counseling consistent with their faith

## Protections for Both
- Protects political and religious expression outside the workplace
- Places political and religious expression inside the workplace on a level playing field

<table>
<thead>
<tr>
<th>SB 297</th>
<th>Exempts clergy from officiating a wedding</th>
<th>Exempts religious organizations from providing wedding services</th>
<th>Protects objectors from private suits and governmental penalties</th>
<th>Exempts religious marriage counseling courses or retreats</th>
<th>Allows adoption/foster agencies to maintain existing placement policies</th>
<th>Designates only willing clergymen</th>
<th>No revocation of professional/business license for expression in nonprofessional setting</th>
<th>Proactively protects character of religious buildings &amp; wedding services</th>
<th>SB 296</th>
<th>Exempts religiously affiliated housing</th>
<th>Permits religious/political expression outside the workplace</th>
<th>Gives parity to religious/political expression inside the workplace</th>
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### Takeaways from Utah
- Secures autonomy over marriage in wake of federal court decision
- Makes good on marriage promise, creating new obligation on State
- Includes the "T," which nixed bargain in Michigan
- Unprecedented emphasis on individual protections, not just Big Religion (see circled checks)
- Concrete measures to allay fears of being fired for "wrong" sexuality or views
- Deliberate decision to avoid forced resignations or firings of government workers


**Delaware—"No fine or penalty"; Vermont—Civil claim only

***Connecticut, Minnesota, Maryland—If no public money; Utah—Recognition for 'ecclesiastical purposes only.' Light check indicates significant restriction on protection

****As of 2012; Adapted from Eugene Volokh, Texas Review of Law & Politics; Utah—Includes religious expression; New York—Recreational activities; Connecticut—Rights protected by First Amendment; New Hampshire—Campaign contributions; others focused on voting and initiatives; light checks indicate narrower scope of protection

i SB297, lines 187–194
ii SB297, lines 195–198
iii SB297, lines 203–207; 238–242
iv SB297, lines 199–201
v SB297, lines 187–189
vi SB297, lines 76–78
vii SB297, lines 209–219
viii SB297, lines 235–242
ix SB296, lines 68; 814–828
x SB296, lines 693–699
xi SB296, lines 700–706