



VAIB | Virginia Voice

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As the General Assembly closes out February, the focus is on the budget. Committees are also continuing to meet to vote on remaining bills under consideration. In some cases, new amendments have popped up, or one chamber preferred its bill to that of the other chamber, creating the need for a committee of conference to hammer out a compromise. Much of this newsletter contains follow-up material from my last General Assembly update.

Expect Changes in the Law Regarding Sexual Orientation and Gender Identity (SOGI)

Probably the most challenging pieces of legislation this session have involved sexual orientation and gender identity (SOGI). Each side has at times painted dramatically different possible outcomes if these bills pass. Some who support these bills indicate the bills will do nothing differently from what has already been happening in Virginia as a result of the governor's executive orders. Some who oppose the bills warn that churches will be forced to hire or accept into membership those who do not adhere to biblical values.

Both outcomes are probably wrong. The SOGI bills definitely go beyond the status quo, but churches will likely be allowed to adhere to their biblical values when it comes to operating their various ministries. Much of the practical outcomes of this legislation remain open to interpretation (and who does the interpreting).

What we know for certain, however, should concern people of faith:

- For the first time, private businesses would not be able to discriminate based on sexual orientation and gender identity.
- For the first time, those who claim discrimination based on sexual orientation or gender identity could sue for unlimited damages, and the Attorney General of Virginia could join in the suit.
- For the first time, the definition of "protected class" would become fluid and open to broad interpretation.

These are serious concerns. Who knows what any given judge might decide? As political activist and former commissioner for the EEOC Chai Feldblum stated, "There can be a conflict between religious liberty and sexual liberty, but in almost all cases the sexual liberty should win . . . I'm having a hard time coming up with any case in which religious liberty should win."

So far, HB1663 and HB1049 have been put on hold in the Senate Committee on General Laws and Technology. Those opposed to the bills gave convincing testimony that these bills need clear language protecting religious institutions. Some committee members agreed and were able to postpone the bills to next week to determine if amendments are needed to address these concerns.

SB868 is already in the House chamber, but it too has been placed on hold, waiting to see if such amendments are needed in the bill. Pray for God to move in members of the House and Senate to clearly see the need for amendments to protect religious institutions that hold to biblical values, in contrast to

those who want to protect sexual orientation and gender identity.

You should know that a similar bill, HR 5, passed the US House of Representatives and is now in the US Senate. Fortunately, majority leader Sen. Mitch McConnell has made it clear that the bill will not be considered by the Senate, which is his prerogative. This is a battle being fought across our nation, with about half the states with laws against discrimination based on sexual orientation and gender identity.

Public education in Virginia will also see a dramatic change in its policies. The Virginia Department of Education will create policies on the treatment of transgender students and likely on SOGI in general due to HB145 and SB161. This does not mean that students will be required to accept these ideals themselves. The purpose is to ensure equitable treatment of those with different values. People deserve the freedom to work and live without fear of persecution. Every public school will be required to implement these policies. No school can “opt out.” No school board can ignore or override these policies. This is the “new” Virginia coming your way. Elections have consequences.

Our desire is to freely exercise our faith without persecution. The primary goal of VAIB is to defend this fundamental right. Please pray that this issue will be resolved favorably.

Religious-Exempt Day Cares

VAIB is thankful that HB1235 and SB927 continue to pass without opposition. These bills will ensure the proper interpretation of staffing ratios for mixed-age groups in child day care centers.

Another change is the transition of the management of all day care regulations to the Virginia Department of Education. Assurances have been given that there will be no changes to how religious-exempt day cares are treated. Our concern is the future treatment of these day care centers by this new department.

Changes to the Minimum Wage

Efforts to increase the minimum wage (HB935 and SB7) continue to progress. These bills have significant differences that will probably be resolved in a committee of conference. I urge all churches with Christian schools, religious-exempt day cares, or hourly staff to prepare now by consulting with their CPAs or other financial professionals to understand what to expect if the minimum wage increases from the current \$7.25 to \$9.75 or \$10 on July 1 (and the consequences of yearly increases of one to two dollars). I urge those who will be negatively impacted to contact your delegates and senators with specifics of how these increases will affect those you serve and those you employ.

Casinos: Are They Coming?

Regarding casinos (HB4 and SB36), some local leaders are looking forward to this new possible source of income and jobs. But more residents are showing their opposition for some of the same reasons VAIB and others have voiced. Recently, Richmond residents near the proposed Manchester site stated in a public meeting that they did not want to see decades of work to improve their communities destroyed by a casino next to their neighborhoods. Fortunately, every locality must pass a referendum showing the residents want the casino. There is a tight timeline, requiring at least sixty days' notice for the referendum. As with all elections, results are dependent on voter turnout.

I plan to cover several other issues next month. By then, I should know the disposition of every bill, although some may still be awaiting the governor's pen. The governor has the last word—he can sign a

bill into law, veto it, or amend it. Those bills that are vetoed or amended must then be reconsidered by the General Assembly at "Veto Session" on April 22. So there could still be a few surprises.

This General Assembly session ends in two weeks on March 7. Therefore the March 10 "Pastors & Prayer at the Capitol" event will not be held. Please make note of that if you planned to visit me at the Capitol on that day.

Thank you for your prayers and support of VAIB.

Sincerely,

Eddy Aliff

Executive Director

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