

**Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. M12-0851.01 Rebecca Hausmann x2172

**SM12-003**

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**SENATE MEMORIAL 12-003**

101     **CONCERNING MEMORIALIZING CONGRESS TO ENACT THE "RESPECT**  
102             **FOR RIGHTS OF CONSCIENCE ACT OF 2011", AND, IN**  
103             **CONNECTION THEREWITH, URGING THE PRESIDENT OF THE**  
104             **UNITED STATES TO PROVIDE AN EFFECTIVE AND**  
105             **COMPREHENSIVE RELIGIOUS CONSCIENCE EXEMPTION FROM A**  
106             **REQUIREMENT TO COVER SERVICES THAT ARE CONTRARY TO**  
107             **THE RELIGIOUS BELIEFS AND PRACTICES OF CERTAIN FAITHS.**

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1             WHEREAS, Recent rules issued by the Department of Health and  
2     Human Services (DHHS) place religious employers in the position of  
3     violating their religious beliefs by forcing all health insurers and  
4     employers to cover specific services that could violate employers'  
5     religious freedoms; and

6             WHEREAS, While the recent ruling exempts some religious  
7     organizations, the exemption now requires all health insurers, even those  
8     who insure religious organizations, to cover services that are contrary to  
9     the religious beliefs and practices of certain faiths; and

10            WHEREAS, Under this rule, religious leaders and organizations,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

1 including hospitals, universities, and service organizations, are mandated  
2 by federal law to comply with a regulation that violates their religious  
3 freedoms while also paying a cost, by offering certain coverage without  
4 deductibles or co-pays in their employees' health insurance; and

5 WHEREAS, This overreaching policy is an attack on religion and  
6 the First Amendment rights of individuals and organizations to operate  
7 according to their consciences; and

8 WHEREAS, The passage of the "Respect for Rights of Conscience  
9 Act of 2011" (H.R.1179 and S.1467) would permit a health plan to  
10 decline coverage of specific items and services that are contrary to the  
11 religious beliefs of the sponsor, issuer, or other entity offering the plan or  
12 the purchaser or beneficiary (in the case of individual coverage) without  
13 penalty; and

14 WHEREAS, On Friday, February 12, 2012, in light of growing  
15 national opposition to the DHHS mandate, President Obama announced  
16 an "accommodation" to redirect responsibility for objectionable services  
17 from the employer to the employer's insurance carrier; however, the  
18 "accommodation" did nothing to alleviate the attack on religious freedom  
19 of all Americans, as faith-based employers will still be mandated to  
20 provide objectionable services that insurers will be forced to add to health  
21 benefit plans; now, therefore,

22 *Be It Resolved by the Senate of the Sixty-eighth General Assembly*  
23 *of the State of Colorado:*

24 (1) That we memorialize Congress to enact the "Respect for  
25 Rights of Conscience Act of 2011" and to urge the President of the  
26 United States to protect Americans' religious liberty by providing an  
27 effective and comprehensive religious conscience exemption from DHHS  
28 regulations that violate religious liberties by requiring employers to  
29 directly or indirectly cover services that may be contrary to religious  
30 beliefs and practices; and

31 (2) That we memorialize Congress and the President to consider,  
32 defend, and honor the Bill of Rights-guaranteed religious liberties upon  
33 which this country was founded, in such a way that Americans are not  
34 forced to make a choice between their deeply held faith and compliance  
35 with federal law.

1           *Be It Further Resolved,* That copies of this Memorial be  
2 transmitted to Office of the President of the United States, the President  
3 of the United States Senate, the Speaker of the United States House of  
4 Representatives, the members of the Colorado congressional delegation,  
5 the members of the United States House Subcommittee on Health in the  
6 Energy and Commerce Committee, and the members of the United States  
7 Senate Health, Education, Labor, and Pensions Committee.