HOUSE BILL 2410
By Ragan

SENATE BILL 2625

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 4; Title 8; Title 36 and Title 49, relative to the "Disentanglement Act."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 36, is amended by adding the following as a new chapter:

36-8-101. This chapter shall be known and may be cited as the "Disentanglement Act."

36-8-102.

As used in this section:

(1) "Lemon test" means a three-prong test that was originally created by the United States supreme court and now adopted by this state that is used to determine if government action is unconstitutional under the establishment clause of the United States Constitution. Government action violates the establishment clause if the action fails to satisfy any of the prongs. The test requires that state action or government policy:

(A) Have a valid secular purpose;

(B) Not have the effect of advancing, endorsing, or inhibiting religion; and

(C) Not foster excessive entanglement with religion; and

(2) "Secular marriage" means a legal union that represents an intended life-long commitment between one (1) person who was born male and one (1) person who was born female as husband and wife, who are of equal but opposite genders, who become spouses of the opposite sex, and who have corresponding

sexual anatomy that if coalesced have the actual or symbolic potential to create offspring who will likely have the input of the two (2) spouses with whom they share the same genetic code and unbroken ancestral chain.

36-8-103.

Policies that respect and endorse a secular marriage between a man and a woman shall continue to be enforced, recognized, and respected, and agents of the state shall only issue and recognize secular marriage licenses because the policies:

(1) Are natural, neutral, noncontroversial, and secular in nature;

(2) Fulfill their actual purpose;

(3) Fulfill a narrowly tailored compelling state interest by upholding community standards of decency; and

(4) Do not:

(A) Violate the United States Constitution or the Constitution of Tennessee;

(B) Fail the Lemon test;

(C) Promote licentiousness;

(D) Attempt to justify practices that are inconsistent with the peace or safety of the state;

(E) Put religion over nonreligion; or

(F) Constitute a nonsecular sham, calculated ploy, power grab, or political power play.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.