



December 8, 2014

**VIA EMAIL TO ALL**

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Re: Unconstitutional and Unlawful Amendments to City of Plano Code of Ordinances Section 2-11

Dear Mayor LaRosiliere and Members of the Plano City Council:

Liberty Institute is the largest law firm dedicated solely to protecting religious liberty in the United States with its principal office in Plano, Texas. We are writing to notify you that the proposed ordinance expanding City of Plano Code of Ordinances Section 2-11 (the "Proposed Ordinance") would violate the United States Constitution; the Texas Constitution; and state law, including the Texas Religious Freedom Restoration Act, Tex. Civ. Prac. & Rem. Code § 110.001 *et seq.*

The Proposed Ordinance is vaguely worded and compels private businesses and employees to violate their sincerely-held religious beliefs, in contravention of federal and

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state laws protecting persons of faith. In effect, the Proposed Ordinance makes it a crime to do business in the City of Plano while maintaining Christian, Jewish, Muslim, or other traditional religious views of marriage, sexuality, and gender identity. As drafted, the Proposed Ordinance prohibits persons with traditional religious views from participating in City programs that feed the hungry, shelter the homeless, protect the battered, or otherwise working within the City's myriad charitable programs.

It is manifestly bad for the City to prevent religious persons from working with the City of Plano to help hungry, homeless, battered, and needy neighbors, or to criminalize businesses and business owners who operate according to their religious beliefs. Moreover, the Proposed Ordinance encourages discrimination against religious employees and potential employees. It also opens the City of Plano to lawsuits from businesses that are forced to decide between following their religious beliefs and violating the law or following the City of Plano's broad new policy.

Just this year, the United States Supreme Court, in *Burwell v. Hobby Lobby Stores, Inc.*, recognized that all Americans, including business owners, have the religious liberty rights to live and work according to their beliefs without the fear of government compelling them to violate their beliefs. Texas's laws are even stronger in their protections of Texans' religious liberty rights. The City of Plano should abandon its Proposed Ordinance. Instead, the City should encourage citizens to treat one another well, abiding by principles of common courtesy, civility, and workplace decorum – not encourage residents to sue one another.

If the Proposed Ordinance is enacted, Liberty Institute will be forced to take legal action against the city to fight such a blatant attack on the religious liberty rights of the residents of the City of Plano.

Very truly yours,



Jeffrey C. Mateer  
General Counsel  
LIBERTY INSTITUTE

cc: Paige Mims, City Attorney

Via Email [paigem@plano.gov](mailto:paigem@plano.gov)