

2020 SESSION REPORT CARD ON RELIGIOUS FREEDOM

July 2020



Which does
your legislator
put their weight
behind?



2020 Session House Bills Undermining Religious Freedom

HB 7 — *SOGI Housing Law* — Adds “sexual orientation” and “gender identity” (SOGI) as special protected classes in the Virginia Fair Housing Law, with no religious liberty protections.

HB 1418 — *SOGI Employment & Workplace Harassment* — Adds SOGI to list of categories for which a private cause of action can be brought for harassment and employment discrimination.

HB 1049 — *SOGI in Public Contracts, Public Accommodations, etc.* — Prohibits discrimination in employment, public accommodations, public contracting, apprenticeship programs, housing, banking, and insurance on the basis of SOGI.

HB 696 — *SOGI Local Human Rights Ordinances* — Allows localities to prohibit discrimination in housing, employment, public accommodations, credit, and education on the basis of SOGI.

HB 581 — *“LGBT” Cultural Competency Training Requirement* — Requires all state employees to complete cultural competency training on the LGBT community.

HB 386 — *Talk Therapy Ban* — Prohibits licensed counselors from helping a struggling or confused minor to understand and embrace natural and healthy sexual expressions and identities through talk therapy.

HB 1663 — *SOGI Nondiscrimination Omnibus Bill* — Prohibits discrimination in private employment, public accommodations, etc., on the basis of SOGI. This would encompass churches. It also establishes hefty fines, new causes of actions, grants attorneys’ fees, unlimited compensatory and up to \$250K in punitive damages, and grants Attorney General broad new powers of enforcement.

HB 145 — *Public K-12 Schools; Development of “Transgender” Policies* — Requires the Department of Education to develop model policies concerning the treatment of “transgender” students in K-12 public schools, including use of bathrooms, locker rooms, dress codes, sex-specific school activities, and bullying, and that every school district will be required to adopt “transgender” policies consistent therewith.

HB 1041 — *Birth Certificates; Change of Sex* — Allows anyone to officially change the sex designation on their birth certificate upon a simple request, with a simple doctor’s note and no evidence of any procedures.

HB 1429 — *Health Insurance Sex Change Coverage* — Requires most Health plans to pay for gender transition procedures for adults and children; creates new forms of gender.

HJ1 — *ERA* — Ratifies the so-called Equal Rights Amendment, which would likely enshrine abortion in the Constitution and erase important distinctions between men and women concerning privacy, sports, and other areas.

“Religious liberty simply evaporates as a fundamental right grounded in the U.S. Constitution, and recedes into the background in the wake of what is now a higher social commitment—sexual freedom.”

— Dr. Albert Mohler, President of Southern Baptist Theological Seminary, pastor, author, producer of *The Briefing*

HOUSE VOTE RECORD

Letter grade is based on a 10-point grading scale. All opportunities to vote in favor of religious freedom are counted unless one was officially registered as absent for the day. The Religious Freedom Grade is based on the entire session's votes. Votes are attributable to the second half of Session. The vote record for the first half can be found in the Mid-Session Report Card on Religious Freedom.

– Anti-Religious Freedom Vote + Pro-Religious Freedom Vote NV Did Not Vote A Abstain

House Delegates in Grade Order	Party Affiliation	First Half			Second Half			Total Session			Religious Freedom GRADE	Issues															
		Pro-Religious Freedom	Total Number of Votes	Percentage	Pro-Religious Freedom	Total Number of Votes	Percentage	Pro-Religious Freedom	Total Number of Votes	Percentage		SB 161 School Transgender Policy – Committee(s)	SB 161 School Transgender Policy – House Floor	SB 245 Talk therapy Ban – Committee(s)	SB 245 Talk Therapy Ban – House Floor	SB 657 Birth Cert. Sex Change – Committee(s)	SB 657 Birth Cert. Sex Change – House Floor	SB 868 Public Accom. Discrim. – Committee(s)	SB 868 Public Accom. Discrim. – Floor	SJ1 ERA – House Floor	SB 246 Flexible Gender on Driver's License – Committee(s)	SB 246 Flexible Gender on Driver's License – House Floor	HB1049 Conference Rpt.	HB 581 Senate Subst. – House Floor	HB145 Conference Rpt. – House Floor	HB 1041 Senate Subst. – House Floor	
Adams, D.	D	0	20	0%	0	13	0%	0	33	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Aird	D	0	18	0%	0	13	0%	0	31	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Askew	D	0	13	0%	0	10	0%	0	23	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Ayala	D	0	12	0%	0	10	0%	0	22	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Bagby	D	0	13	0%	0	12	0%	0	25	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Bourne	D	0	13	0%	0	11	0%	0	24	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Bulova	D	0	17	0%	0	12	0%	0	29	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Carr	D	0	16	0%	0	12	0%	0	28	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Carroll Foy	D	0	11	0%	0	10	0%	0	21	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Carter	D	0	12	0%	0	11	0%	0	23	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Cole, J.G.	D	0	12	0%	0	11	0%	0	23	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Convirs-Fowler	D	0	17	0%	0	11	0%	0	28	0%	–	NV	–	–	NV	–	–	–	–	–	–	–	–	NV	–	–	NV
Delaney	D	0	14	0%	0	13	0%	0	27	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Filler-Corn	D	0	11	0%	0	10	0%	0	21	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Gooditis	D	0	13	0%	0	10	0%	0	23	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Guy	D	0	13	0%	0	11	0%	0	24	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Guzman	D	0	15	0%	0	13	0%	0	28	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Hayes	D	0	16	0%	0	12	0%	0	28	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Helmer	D	0	11	0%	0	11	0%	0	22	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Heretick	D	0	13	0%	0	10	0%	0	23	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Herring	D	0	11	0%	0	10	0%	0	21	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Hope	D	0	13	0%	0	12	0%	0	25	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Hudson	D	0	11	0%	0	10	0%	0	21	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	NV	–
Hurst	D	0	16	0%	0	12	0%	0	28	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Jones	D	0	15	0%	0	11	0%	0	26	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Keam	D	0	13	0%	0	11	0%	0	24	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Kory	D	0	13	0%	0	10	0%	0	23	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	NV	–
Krizek	D	0	17	0%	0	11	0%	0	28	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Levine	D	0	14	0%	0	12	0%	0	26	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Lindsey	D	0	13	0%	0	10	0%	0	23	0%	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–

House Delegates in Grade Order

House Delegates in Grade Order	Party Affiliation	First Half			Second Half			Total Session			Religious Freedom GRADE	Issue
		Pro-Religious Freedom	Total Number of Votes	Percentage	Pro-Religious Freedom	Total Number of Votes	Percentage	Pro-Religious Freedom	Total Number of Votes	Percentage		
Lopez	D	0	12	0%	0	10	0%	0	22	0%	F	
McQuinn	D	0	14	0%	0	12	0%	0	26	0%	F	
Mulgler	D	0	13	0%	0	11	0%	0	24	0%	F	
Mullin	D	0	12	0%	0	10	0%	0	22	0%	F	
Murphy	D	0	17	0%	0	12	0%	0	29	0%	F	
Plum	D	0	14	0%	0	10	0%	0	24	0%	F	
Price	D	0	19	0%	0	13	0%	0	32	0%	F	
Rasoul	D	0	16	0%	0	13	0%	0	29	0%	F	
Reid	D	0	15	0%	0	11	0%	0	26	0%	F	
Roem	D	0	12	0%	0	11	0%	0	23	0%	F	
Samirah	D	0	15	0%	0	12	0%	0	27	0%	F	
Scott	D	0	11	0%	0	10	0%	0	21	0%	F	
Sickles	D	0	17	0%	0	12	0%	0	29	0%	F	
Simon	D	0	17	0%	0	11	0%	0	28	0%	F	
Simonds	D	0	12	0%	0	10	0%	0	22	0%	F	
Subramanyam	D	0	13	0%	0	11	0%	0	24	0%	F	
Sullivan	D	0	12	0%	0	10	0%	0	22	0%	F	
Torian	D	0	16	0%	0	11	0%	0	27	0%	F	
Tran	D	0	18	0%	0	13	0%	0	31	0%	F	
Tyler	D	0	14	0%	0	11	0%	0	25	0%	F	
VanValkenburg	D	0	18	0%	0	12	0%	0	30	0%	F	
Ward	D	0	12	0%	0	11	0%	0	23	0%	F	
Watts	D	0	11	0%	0	11	0%	0	22	0%	F	
Willet	D	0	13	0%	0	12	0%	0	25	0%	F	
Jenkins	D	0	12	0%	2	10	20%	2	22	9%	F	
Davis	R	5	12	42%	5	11	45%	10	23	43%	F	
Coyner	R	4	12	33%	6	10	60%	10	22	45%	F	
Edmunds	R	6	14	43%	9	12	75%	15	26	58%	F	
Bloxom	R	10	15	67%	6	10	60%	16	25	64%	O	
Robinson	R	11	15	73%	8	13	62%	19	28	68%	O	
Wampler	R	8	17	47%	12	12	100%	20	29	69%	O	
Orrock	R	10	14	71%	8	12	67%	18	26	69%	O	
Collins	R	8	12	67%	9	12	75%	17	24	71%	C	
Campbell, J.	R	8	12	67%	8	10	80%	16	22	73%	C	
Avoli	R	8	14	57%	12	13	92%	20	27	74%	C	
												SB 161 School Transgender Policy – Committee(s)
												SB 161 School Transgender Policy – House Floor
												SB 245 Talk therapy Ban – Committee(s)
												SB 245 Talk Therapy Ban – House Floor
												SB 657 Birth Cert. Sex Change – Committee(s)
												SB 657 Birth Cert. Sex Change – House Floor
												SB 868 Public Accom. Discrim. – Committee(s)
												SB 868 Public Accom. Discrim. – Floor
												SJ1 ERA – House Floor
												SB 246 Flexible Gender on Driver's License – Committee(s)
												SB 246 Flexible Gender on Driver's License – House Floor
												HB1049 Conference Rpt.
												HB 581 Senate Subst. – House Floor
												HB145 Conference Rpt. – House Floor
												HB 1041 Senate Subst. – House Floor

House Delegates in Grade Order

House Delegates in Grade Order	Party Affiliation	First Half			Second Half			Total Session			Religious Freedom GRADE	
		Pro-Religious Freedom	Total Number of Votes	Percentage	Pro-Religious Freedom	Total Number of Votes	Percentage	Pro-Religious Freedom	Total Number of Votes	Percentage		
Knight	R	10	16	63%	10	11	91%	20	27	74%	C	SB 161 School Transgender Policy – Committee(s)
Morefield	R	10	17	59%	11	11	100%	21	28	75%	C	SB 161 School Transgender Policy – House Floor
Hodges	R	10	15	67%	11	12	92%	21	27	78%	C	SB 245 Talk therapy Ban – Committee(s)
Webert	R	9	12	75%	9	10	90%	18	22	82%	B	SB 245 Talk Therapy Ban – House Floor
Miyares	R	12	16	75%	11	12	92%	23	28	82%	B	SB 657 Birth Cert. Sex Change – Committee(s)
O'Quinn	R	10	13	77%	10	10	100%	20	23	87%	B	SB 657 Birth Cert. Sex Change – House Floor
Fowler	R	14	18	78%	13	13	100%	27	31	87%	B	SB 657 Birth Cert. Sex Change – Committee(s)
Austin	R	11	14	79%	11	11	100%	22	25	88%	B	SB 657 Birth Cert. Sex Change – House Floor
Leftwich	R	14	17	82%	11	11	100%	25	28	89%	B	SB 868 Public Accom. Discrim. – Committee(s)
Wyatt	R	11	12	92%	10	11	91%	21	23	91%	A	SB 868 Public Accom. Discrim. – Floor
Fariss	R	12	14	86%	10	10	100%	22	24	92%	A	SJ1 ERA – House Floor
Rush	R	13	15	87%	10	10	100%	23	25	92%	A	SB 246 Flexible Gender on Driver's License – Committee(s)
Brewer	R	14	16	88%	11	11	100%	25	27	93%	A	SB 246 Flexible Gender on Driver's License – House Floor
Head	R	14	15	93%	11	12	92%	25	27	93%	A	HB1049 Conference Rpt.
Campbell, R.	R	11	11	100%	9	10	90%	20	21	95%	A	HB 581 Senate Subst. – House Floor
Kilgore	R	10	11	91%	10	10	100%	20	21	95%	A	HB145 Conference Rpt. – House Floor
Ware	R	10	11	91%	10	10	100%	20	21	95%	A	HB 1041 Senate Subst. – House Floor
McNamara	R	11	12	92%	10	10	100%	21	22	95%	A	
Runion	R	11	12	92%	10	10	100%	21	22	95%	A	
Wilt	R	11	12	92%	10	10	100%	21	22	95%	A	
Marshall	R	12	13	92%	11	11	100%	23	24	96%	A	SB 161 School Transgender Policy – Committee(s)
Adams, L.	R	12	12	100%	11	11	100%	23	23	100%	A+	SB 161 School Transgender Policy – House Floor
Batten	R	12	12	100%	11	11	100%	23	23	100%	A+	SB 245 Talk therapy Ban – Committee(s)
Bell	R	12	12	100%	13	13	100%	25	25	100%	A+	SB 245 Talk Therapy Ban – House Floor
Byron	R	12	12	100%	10	10	100%	22	22	100%	A+	SB 657 Birth Cert. Sex Change – Committee(s)
Cole, M.	R	18	18	100%	12	12	100%	30	30	100%	A+	SB 657 Birth Cert. Sex Change – House Floor
Cox	R	14	14	100%	10	10	100%	24	24	100%	A+	SB 868 Public Accom. Discrim. – Committee(s)
Freitas	R	9	9	100%	11	11	100%	20	20	100%	A+	SB 868 Public Accom. Discrim. – Floor
Gilbert	R	11	11	100%	10	10	100%	21	21	100%	A+	SJ1 ERA – House Floor
LaRock	R	12	12	100%	11	11	100%	23	23	100%	A+	SB 246 Flexible Gender on Driver's License – Committee(s)
McGuire	R	13	13	100%	11	11	100%	24	24	100%	A+	SB 246 Flexible Gender on Driver's License – House Floor
Poindexter	R	12	12	100%	10	10	100%	22	22	100%	A+	HB1049 Conference Rpt.
Ransone	R	12	12	100%	10	10	100%	22	22	100%	A+	HB 581 Senate Subst. – House Floor
Walker	R	13	13	100%	13	13	100%	26	26	100%	A+	HB145 Conference Rpt. – House Floor
Wright	R	16	16	100%	11	11	100%	27	27	100%	A+	HB 1041 Senate Subst. – House Floor

2020 Session Senate Bills Undermining Religious Freedom

SB 161 — *Public K-12 Schools; Development of “Transgender” Policies* — Requires the Department of Education to develop model policies concerning the treatment of “transgender” students in K-12 public schools, including use of bathrooms, locker rooms, dress codes, sex-specific school activities, and bullying, and that every school district will be required to adopt “transgender” policies consistent therewith.

SB 245 — *Talk Therapy Ban* — Prohibits licensed counselors from helping a struggling or confused minor to understand and embrace natural and healthy sexual expressions and identities through talk therapy.

SB 657 — *Birth Certificates; Change Of Sex* — Allows anyone to officially change the sex designation on their birth certificate upon a simple request, with a simple doctor’s note and no evidence of any procedures.

SB 246 — *Non-Binary Sex on Drivers License* — Allows any person to choose male, female or “Non-binary” for their official sex designation on their driver’s license.

SB 868 — *SOGI Nondiscrimination Omnibus Bill* — Prohibits discrimination in private employment, public accommodations, etc., on the basis of SOGI. This would encompass churches. It also establishes hefty fines, new causes of actions, grants attorneys’ fees, unlimited compensatory and up to \$250K in punitive damages, and grants Attorney General broad new powers of enforcement.

SJ 1 — *ERA* — Ratifies the so-called Equal Rights Amendment, which would likely enshrine abortion in the Constitution and erase important distinctions between men and women concerning privacy, sports, and other areas.

“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.” “We are in a zero-sum game: a gain for one side necessarily entails a corresponding loss for the other side. ... And, in making the decision in this zero-sum game, I am convinced society should come down on the side of protecting the liberty of LGBT people.”

— Chai Feldblum, Former Commissioner at the Equal Employment Opportunity Commission, Law professor at Georgetown University, and LGBT author and activist

- Anti-Religious Freedom Vote + Pro-Religious Freedom Vote
 NV Did Not Vote A Abstain

Senators in Grade Order	Party Affiliation	First Half			Second Half			Total Session		
		Pro-Religious Freedom	Total Number of Votes	Percentage	Pro-Religious Freedom	Total Number of Votes	Percentage	Pro-Religious Freedom	Total Number of Votes	Percentage
Dunnivant	R	5	12	42%	6	19	32%	11	31	35%
Kiggans	R	5	9	56%	9	17	53%	14	26	54%
Norment	R	6	9	67%	7	14	50%	13	23	57%
Hanger	R	7	9	78%	7	15	47%	14	24	58%
Stuart	R	5	9	56%	8	13	62%	13	22	59%
DeSteph	R	5	9	56%	9	13	69%	14	22	64%
Pillion	R	7	9	78%	13	15	87%	20	24	83%
Cosgrove	R	11	12	92%	13	15	87%	24	27	89%
Ruff	R	8	9	89%	16	17	94%	24	26	92%
Suetterlein	R	11	12	92%	13	14	93%	24	26	92%
Stanley	R	8	8	100%	11	12	92%	19	20	95%
Reeves	R	9	9	100%	16	17	94%	25	26	96%
Chafin	R	12	12	100%	15	16	94%	27	28	96%
Chase	R	8	8	100%	13	13	100%	21	21	100%
McDougle	R	9	9	100%	13	13	100%	22	22	100%
Newman	R	12	12	100%	18	18	100%	30	30	100%
Obenshain	R	9	9	100%	13	13	100%	22	22	100%
Peake	R	13	13	100%	16	16	100%	29	29	100%

Religious Freedom GRADE

F, F, F, F, F, D, B, B, A, A, A, A, A, A+, A+, A+, A+

Religious Freedom GRADE	HB 7 Housing, Non-Discrim. – Committee Vote	HB 1418 Employ. Non-Discrim. – Committee Vote	HB 1418 Employ. Non-Discrim. – Floor Vote referer	HB 1049 Public Accomodations – Committee Vote	HB 1049 Public Accomodations – Floor Vote	HB 1049 Conference Rpt. Floor	HB 696 Local Ordinances. – Committee Vote	HB 696 Local Ordinances. – Floor Vote	HB 386 Conversion Therapy Ban – Committee Vote	HB 386 Conversion Therapy Ban – Floor Vote	HB 145 School Policies – Committee Vote	HB 145 School Policies – Floor Vote	HB 1041 Birth Certificate Change – Committee Vote	HB 1041 Birth Certificate Change – Floor Vote	Ominbus HB 1663 – Committee Vote	Ominbus HB 1663 – Floor Vote	HJ 1 – ERA – Committee Votes	HJ 1 – ERA – Floor Vote	HB 1429 Sex-Change Coverage – Committee Vote	HB 1429 Sex-Change Coverage – Floor Vote	SB657 House Subst. Senate Floor	SB 868 House Subst. Senate Floor
F	+	A	+	-	+	-	-	-	+	+	-	-	-	-	-	-		-		+	-	-
F	+	+	+	+	+	+	-	-		+		+		-	-	-		-		+	-	-
F		-	+		NV	-				+		+		+		+		-		+	+	-
F		+	+		-	-				+		+		+		-		-		+	+	-
F	+		+		-	NV				+		+		+		-		-		+	+	+
D			+		+	-	-	-		+		+		+		+		-		+	+	+
B	+	+	+		+	+	-	-		+		+		+		+		+		+	+	+
B			+		+	+		-	+	+	+	+	+	+		+		+		+	+	-
A	+	+	+	+	+	+		-		+		+		+	+	+	+	+		+	+	+
A			+		+	+				+	+	+	+	+		+		+		+	+	+
A	+	+	+	+	+	+		-		+		+		+	+	+	+	+		+	+	+
A			+		+	+			+	+	+	+	+	+		+		+		+	+	+
A+		+	+		+	+		+	+	+	+	+	+	+	+	+	+	+		+	+	+
A+		+	+		+	+		+	+	+	+	+	+	+	+	+	+	+		+	+	+
A+		+	+		+	+		+	+	+	+	+	+	+	+	+	+	+		+	+	+
A+		+	+		+	+		+	+	+	+	+	+	+	+	+	+	+		+	+	+

