



# *Liberty Center for Law and Policy*

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## **LEGISLATIVE PROPOSAL** **A response to** ***Christian Legal Society v. Martinez***

### Equal Access of Private Groups or Organizations to Government Agencies, Entities, and Facilities

- (a) Denial of Funds for Restricting Equal Access to Government Agencies, Entities, and Facilities. – No federal funds may be provided directly or indirectly to a state or local governmental agency, entity, or facility if the agency, entity, or facility has a policy or practice respecting a limited public forum that in effect
  - a. Requires groups or organizations, as a precondition for equal access, to allow any person who does not subscribe to the political or religious views, doctrine or mission of the group or organization to serve as a voting member and/or officer or leader in the group or organization; or
  - b. Prevents any group or organization from receiving equal access because the group or organization requires voting members and/or officers or leaders to agree with the bylaws, mission, vision, or purpose of the group or organization.
- (b) Restricting Equal Access to Federal Government Agencies, Entities, and Facilities. – No federal government agency, entity or facility may directly or indirectly implement a policy or practice respecting a limited public forum that in effect
  - a. Requires groups or organizations, as a precondition for equal access, to allow any person who does not subscribe to the political or religious views, doctrine or mission of the group or organization to serve as a voting member and/or officer or leader in the group or organization; or
  - b. Prevents any group or organization from receiving equal access because the group or organization requires voting members and/or officers or leaders to agree with the bylaws, mission, vision, or purpose of the group or organization.
- (c) Exceptions. – The limitation established in section (a) shall not apply to an agency, entity, or facility of the government that has ceased the policy or practice described in section (a).

(d) Covered Funds. – The limitation established in subsection (a) applies to any funds made available by the federal government, whether direct or indirect.

(e) Equal Access. – Equal access means equal access to use of facilities, including location, time, and usage fees, if any, and opportunity for announcements or advertisements and funding.