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HB 2135 Opponent Testimony – Written Only

Aileen Berquist, Policy Director
American Civil Liberties Union of Kansas

House Taxation Committee
Thursday, February 2 3:30 PM – 246-S

Committee Chair and Members of the Committee,

My name is Aileen Berquist and I am the Policy Director for the American Civil Liberties Union of Kansas. We are a nonpartisan, non-profit organization that works to preserve and strengthen the civil rights and liberties of every person in our state. Thank you for the opportunity to present testimony today.

The ACLU of Kansas is committed to defending reproductive freedom. As such, we are concerned about legislation that limits partnerships with organizations that support abortion. Because HB 2135 requires charitable organizations to verify that they do not themselves support nor do they affiliate with any other entity that supports abortion care, we oppose HB 2135.

Kansas's high court and Kansas citizens have each recognized that reproductive freedom is one of our most essential constitutional liberties. Last August, Kansans rejected a constitutional amendment that would have led to a total ban on abortion. Enacting legislation that limits partnerships with organizations that support abortions to qualify for tax credits does not reflect current law nor the viewpoints of the majority of Kansans. Yet, HB 2135 is attempting to undermine that constitutionally protected right and the will of the people by cutting off financial benefits to charities that might offer referrals to abortion providers, even in cases of serious medical need.

In addition to not reflecting Kansan's view, HB 2135 operates to serve as a subsidy for religion. Many organizations that would be covered by this bill are religiously-based. Without an explicit requirement that organizations not be faith-based—or not act discriminatorily in their provision of services—in practice HB 2135 operates to only give religious organizations *additional* tax exemptions beyond those already provided by the public. A tax break for these faith-based organizations forces Kansans to financially support religious organizations even if they wish not to.

We ask this this committee to vote no on HB 2135.