



**Re: Hearing on HB 1073 and its Protection for Belief-Based Student Organizations,
South Dakota House of Representatives, Judiciary Committee, February 2, 2018**

Dear Chairman Stevens, Vice-Chairman Johns, and Members of the Committee:

The Christian Legal Society supports HB 1073, which will provide much needed protection for religious students' ability to meet on college campuses. Exclusion of religious student groups has been a recurrent problem nationwide for over four decades. Since 1975, the Christian Legal Society has monitored this problem and worked to ensure that college campuses remain open to students who wish to meet for religious speech.

Language in HB 1073 will ensure that such a problem will not arise at South Dakota's public colleges. In some states, including Iowa, Minnesota, Missouri, and Indiana, university administrators have sometimes prohibited religious student groups from stating in their governing documents that they require their leaders to agree with the groups' basic religious beliefs. These universities have told religious groups that, if they want to remain on campus, they must not require their leaders to share their groups' religious beliefs.

Basic religious freedom, however, requires that religious groups be free to choose leaders who agree with their religious beliefs and teachings. Indeed, it should be common ground-- even for those who advocate a strict separation of church and state -- that government officials should not dictate religious groups' choice of their student leaders.

The leadership of any organization determines whether it will be able to carry out its mission. This is particularly true for religious groups whose leaders conduct their Bible studies and lead their prayers.

HB 1073 is a commonsense measure that will conserve South Dakota taxpayers' money by protecting its public universities from costly lawsuits similar to those that have occurred in other states. HB 1073 allows public colleges to maintain whatever policies they wish so long as those policies permit belief-based groups, including religious student groups, to choose their leaders according to their beliefs.

HB 1073 would add South Dakota to the growing list of states -- Kansas, Ohio, Idaho, Tennessee, Oklahoma, Arizona, Kentucky, North Carolina, and Virginia -- that have enacted similar protections. More information about this problem and how states have addressed it is at <https://www.clsnet.org/document.doc?id=1110>.

We respectfully request that this letter be included in the record for the House Judiciary Committee's hearing on HB 1073 on February 2, 2018. Thank you for protecting South Dakota students.

Yours truly,
/s/ Kimberlee Wood Colby
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of the Christian Legal Society
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