AN ACT concerning marriage; enacting the marriage and constitution restoration act.

WHEREAS, Civilizations for millennia have defined marriage as a union between a man and a woman; and
WHEREAS, The United States is a constitutional republic that the state of Kansas is a part of; and
WHEREAS, The doctrine of preemption prohibits the state of Kansas from making or enforcing policies that violate the constitution of the United States; and
WHEREAS, All state senators and representatives and all executive and judicial officers are bound by oath or affirmation pursuant to article VI of the constitution of the United States to not enforce, respect, favor or endorse policies that violate the free exercise clause or the establishment clause of the 1st amendment of the constitution of the United States, regardless of what political party they are affiliated with; and
WHEREAS, The 1st amendment of the constitution of the United States applies to the state of Kansas though the 14th amendment of the constitution of the United States; and
WHEREAS, The constitution of the United States is not silent as to how the states must legally define marriage, as acknowledged by the United States supreme court; and
WHEREAS, The establishment clause of the 1st amendment of the constitution of the United States, balanced with the free exercise clause of the 1st amendment of the constitution of the United States, has exclusive jurisdiction in informing the state of Kansas how to respond to marriage requests of all kinds that do not involve a man and a woman and how the state must react to all self-asserted, sex-based identity narratives that are questionably real, moral and have a tendency to erode community standards of decency; and
WHEREAS, All religion amounts to is a set of unproven answers to the greater questions like "Why are we here?" and "What should we be doing as humans?"; and
WHEREAS, The establishment clause of the 1st amendment of the constitution of the United States was never solely designed to prohibit the
government from only respecting and recognizing the doctrines of institutionalized religions, but of non-institutionalized religions, like secular humanism, as well; and

WHEREAS, The sworn testimonies of ex-gays, medical experts, persecuted Christians and licensed ministers demonstrate that there is no real proof that a gay gene exists, that the idea that sexual orientation is predicated on immutability is not proven and that sexual orientation is a mythology, dogma, doctrine or orthodoxy that is inseparably linked to the religion of secular humanism; and

WHEREAS, The United States supreme court found that secular humanism is a religion for the purpose of the establishment clause of the 1st amendment of the constitution of the United States in Torcaso v. Watkins, 367 U.S. 488 (1961), stating "among religions in this country which do not teach what would generally be considered a belief in the existence of God are Buddhism, Taoism, Ethical Culture, Secular Humanism and others"; and

WHEREAS, Most of the federal courts of appeals have acknowledged that secular humanism is a religion in cases such as Malnak v. Yogi, 592 F.2d 197, 200-15 (3d Cir.1979), Theriault v. Silber, 547 F.2d 1279, 1281 (5th Cir.1977), Thomas v. Review Bd., 450 U.S. 707, 714, 101 S.Ct. 1425, 67 L.Ed.2d 624 (1981), Lindell v. McCallum, 352 F.3d 1107, 1110 (7th Cir.2003), Real Alternatives, Inc. v. Sec’y of Dep’t of Health and Human Servs., 150 F.Supp.3d 419 (3d Cir. Aug. 4, 2017), and Wells v. City and County of Denver, 257 F.3d 1132, 1148 (10th Cir. 2001); and

WHEREAS, Secular humanism is also commonly referred to as postmodern western individualistic moral relativism, expressive individualism, and by other names and is centered on the unproven idea that there are no moral absolutes; and

WHEREAS, The lesbian, gay, bisexual, transgender and questioning (LGBTQ) community is organized, full and has a daily code by which members may guide their daily lives, which makes it a denominational sect that is inseparably part of the religion of secular humanism; and

WHEREAS, Instead of having a cross, the ten commandments icon, or star and crescent, the LGBTQ secular humanist community has the gay pride rainbow colored flag to symbolize its faith-based worldview; and

WHEREAS, The ideas that "a person is born homosexual," or that "a person can be born in the wrong body," or that "a person can come out of an invisible closet and be baptized gay," or that "to disagree with homosexual orthodoxy premises makes you a bigot" are a series of unproven faith-based assumptions and naked assertions that are implicitly religious and inseparably linked to the religion of secular humanism; and

WHEREAS, The government's endorsement of LGBTQ ideology has amounted to the greatest sham since the inception of American
WHEREAS, In the wake of the government's endorsement of LGBTQ ideology, the government's endorsement of LGBTQ secular humanism has not been about "tolerance," but "dominance"; and
WHEREAS, In the wake of the government's endorsement of LGBTQ ideology, many citizens who object to the government's endorsement of LGBTQ secular humanism is not based on "bigotry," but on "biology"; and
WHEREAS, In the wake of the government's endorsement of LGBTQ ideology, when a secular humanist says "love is love," what they really mean is that they are amenable to government assets being used to oppress and marginalize anyone who disagrees with their beliefs, which is a position that is categorically "unloving"; and
WHEREAS, In the wake of the government's endorsement of LGBTQ ideology, we have learned that people who are "intolerant" of "intolerant people" are "intolerant," people who are "judgmental" against "judgmental people" are "judgmental," and people who are "dogmatic" about not "being dogmatic" are "dogmatic"; and
WHEREAS, In the wake of the government's entanglement with LGBTQ secular humanism, there has not been a land rush on gay marriage, but there has been a land rush by many secular humanists to persecute many non-observers of the religion of secular humanism; and
WHEREAS, In the wake of the government's endorsement of LGBTQ secular humanism, there has not been a land rush on gay marriage but there has been a land rush by many secular humanists to infiltrate public schools and public libraries with the intent to indoctrinate and proselytize minors to their religious worldview on faith, morality, sex and marriage with the government's stamp of approval; and
WHEREAS, There are no ex-blacks but there are thousands of ex-gays; and
WHEREAS, Skin-tone is genetic and sexual orientation is faith-based; and
WHEREAS, Those who seek to end the government's unconstitutional entanglement with the LGBTQ secular humanist religion are defending the integrity of the civil rights movement lead by Dr. Martin Luther King Jr. from an emotional ploy and an unprincipled misapplication of the 14th amendment of the constitution of the United States; and
WHEREAS, For any person to suggest that the homosexual civil rights movement, which is not based on immutability or genetics, is equal to the race-based civil rights movement, which was actually based on immutability and genetics, has engaged in an act of fraud and racial animus in-kind that is intellectually, emotionally, sexually and racially exploitative; and
WHEREAS, People of color at one point in this country had to ride on
the back of the bus, walk to school and drink from colored water fountains,
and for anyone to equate the race-based civil rights plight to the goal of
many secular humanists to entangle the government with their religion is a
per se act of racial animus that is deeply offensive to many people in the
state of Kansas; and

WHEREAS, Parody marriages have never been a part of American
tradition and heritage and have nothing to do with the substantive due
process clause of the 14th amendment of the constitution of the United
States; and

WHEREAS, It is a long-standing government principle that emotional
appeals or sincerity of belief do not allow the state of Kansas to usurp the
establishment clause of the 1st amendment of the constitution of the United
States or for devout secular humanists to entangle our government with
LGBTQ secular humanism; and

WHEREAS, The history of parody marriages is that most forms were
illegal until recently or they remain illegal today, and they continue to
erode community standards of decency; and

WHEREAS, All forms of parody marriage equally erode community
standards of decency; and

WHEREAS, The state of Kansas has a compelling interest to uphold
community standards of decency as set forth under the constitution of the
state of Kansas and in accordance with the findings of the United States
supreme court; and

WHEREAS, Community standards of decency do not evolve, but
people can become desensitized; and

WHEREAS, The enforcement of marriage policies between a man and
a woman do not erode community standards of decency and fulfill a series
of compelling state interest; and

WHEREAS, Individuals who legally marry in the state of Kansas are
entitled to a constellation of benefits funded by the taxpayers; and

WHEREAS, There are many taxpayers in the state of Kansas who
sincerely believe that all forms of marriage that do not involve a man and a
woman are immoral and that for their tax dollars to be appropriated to
enable immorality is itself an act of immorality that causes them to violate
their conscience by the simple act of paying taxes; and

WHEREAS, Marriage between a man and a woman arose out of the
nature of things, and marriage between a man and a woman is natural,
neutral and non-controversial, unlike parody forms of marriage that do not
involve a man and a woman; and

WHEREAS, Marriage policies that endorse marriage between a man
and a woman are secular in nature for purposes of the establishment clause
of the 1st amendment of the constitution of the United States, insofar as the
policies accomplish their purpose, fulfill a compelling state interest and do
not put religion over non-religion in their making and in their enforcement, unlike parody marriage policies; and

WHEREAS, The legislative branch may sever as a check on the judicial and executive branches; and

WHEREAS, The decision in Obergefell v. Hodges, 135 S.Ct. 2584 (2015) was called an "egotistic judicial putsch" that causes secular humanists in office to constitute "a threat to American Democracy" by dissenting supreme court justices; and

WHEREAS, Stare decisis does not keep Obergefell v. Hodges, 135 S.Ct. 2584 (2015) from being overruled, because stare decisis is at its weakest when the court is asked to interpret the constitution of the United States, and because questions which merely lurk in the record, neither brought to attention of the court nor ruled upon, are not to be considered as having been so decided as to constitute precedents; and

WHEREAS, The question whether the establishment clause of the 1st amendment of the constitution of the United States has exclusive jurisdiction over informing the states as to which marriages they can legally recognize was lurking in the shadows but was undecided upon by the court in Obergefell v. Hodges, 135 S.Ct. 2584 (2015).

Now, therefore:

Be it enacted by the Legislature of the State of Kansas:

Section 1. The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the marriage and constitution restoration act.

Sec. 2. As used in this act:

(a) "Community standards of decency" means a standard based on the reasonable observer's perspective that, if offended by appeals to the prurient interest or the patently offensive, would harm the general decency, safety, health and welfare of the community.

(b) "Conversion therapy" means a therapeutic practice in which a licensed mental health expert, acting under authorized consent, assists clients in the goal of realigning such client's sexual preference to prefer members of the opposite sex who have corresponding reproductive anatomy.

(c) "Marriage" means a legal union that represents an intended lifelong commitment between one person who was born male and one person who was born female as husband and wife, who are of equal but opposite genders, who become spouses of the opposite sex, and who have corresponding sexual anatomy that, if coalesced, have the actual or symbolic potential to create an offspring whom likely has the input of the two spouses with whom the same genetic code and ancestral chain is shared.

(d) "Non-secular sham" means a policy, a course or principle of
action adopted or proposed by a state actor that endorses, respects or favors the beliefs of a particular religion where the preeminent and primary force driving the state's action is not genuine, but is a sham that ultimately has a primary religious objective. The term "non-secular sham" refers to a type of policy that is predicated on a series of unproven faith-based assumptions and naked assertions that are implicitly religious.

(e) "Parody marriage" means any form of alleged marriage that does not involve a man and a woman. The term "parody marriage" refers to a variety of so-called marriages that do not involve a man and a woman that amount to doctrines that are inseparably linked to the religion of secular humanism. The term "parody marriage" refers to so-called marriages between more than two people, persons of the same sex, a person and an animal, or a person and an object.

(f) "Religion" means a set of unproven answers to the greater questions like "Why are we here?" and "What should we be doing as humans?" that are predicated on an institutionalized or non-institutionalized faith-based worldview flowing out of a community that is full, organized and has a daily code by which its members may guide their daily lives.

(g) "Secular humanism" means a faith-based worldview that is also referred to as postmodern western individualistic moral relativism and expressive individualism. A belief system that is protected by the free exercise clause of the 1st amendment of the constitution of the United States and the constitution of the state of Kansas, and centered on the unproven assumption that there are no moral absolutes and that on one moral doctrine should be used as the superior basis for law and policy. The term "secular humanism" includes a series of unproven faith-based assumptions and naked assertions that suggest that morality and truth are man-made conventions and that at the heart of liberty is man's ability to define man's own meaning of the universe. The term "secular humanism" refers to a religion that does not fulfill any compelling state interest, but instead, tends to erode community standards of decency. The term "secular humanism" refers to homosexuality, sexual orientation, polygamy, transgenderism, zoophilia and objectophilia, which are self-asserted, sex-based identity narratives, doctrines, dogmas and mythologies that flow directly out of and are inseparably linked to the religion. The term "secular humanism" refers to the belief that man is merely a bundle of chemicals, animated pieces of meat or accidental particles and that nature is all there is. The term "secular humanism" refers to the unproven faith-based assumption that nature is all that there is, but that mankind should still love each other.

(h) "Secular policy" means a course or principle of action adopted or proposed by a state actor that is natural, neutral, and non-controversial that
is based on self-evident morality and objective truth from the reasonable
observer perspective. The term includes procedure that generally
accomplishes its goals and does not tend to put religion over non-religion
or one religion over another. The term includes a course of governmental
action where the preeminent and primary force driving the policy is
genuine, not a sham, and not merely secondary to a religious objective.

(i) "Sexual orientation" means a mythology, dogma, doctrine or
ideology that is inseparably linked to the religion of secular humanism.
The term includes self-asserted, sex-based identity narrative that are often
predicated on a series of unproven faith-based assumptions and naked
assertions that are implicitly religious and have a tendency to erode
community standards of decency.

Sec. 3. (a) The 1st amendment of the constitution of the United States
applies to the state of Kansas though the 14th amendment of the
constitution of the United States.

(b) All members of the legislature and all executive and judicial
officers are bound by oath or affirmation pursuant to article VI of the
constitution of the United States to not enforce, respect, recognize or
endorse policies that violate the free exercise clause or establishment
clause of the 1st amendment of the constitution of the United States
regardless of the members' or officers' party affiliation.

Sec. 4. (a) Pursuant to the free exercise clause of the 1st amendment
of the constitution of the United States, any person within the jurisdiction
of this state has the fundamental, existing and individual right to freely
cultivate any self-asserted, sex-based identity narrative or self-asserted
sexual orientation based on a personal, autonomous choice and to practice
secular humanism.

(b) A person has the free-exercise right to conduct a marriage
ceremony that does not involve a man and a woman and other rituals that
are in accord with such person's self-asserted, sexual orientation and to
live as married people do, free from governmental interference, as long as
the ceremonies and lifestyle practices do not conflict with other state and
federal law.

Sec. 5. (a) The state has a compelling interest to uphold community
standards of decency and a duty to not make or enforce policies that put
the religion of secular humanism over non-religion and to not make and
enforce policies that are preempted by the establishment clause of the 1st
amendment of the constitution of the United States. The unproven truth
claims flowing out of the religion of secular humanism tend to erode
community standards of decency and cannot be respected, endorsed,
favored or recognized for the purposes of this section or the establishment
clause of the 1st amendment of the constitution of the United States.

(b) Under this section, the establishment clause of the 1st amendment
of the constitution of the United States, and the state's compelling interests
to uphold community standards of decency, the state is prohibited from
enforcing, endorsing, respecting or favoring the following policies for
being non-secular shams that cultivate indefensible legal weapons against
non-observers of the religion of secular humanism and for having the
effect of excessively entangling the government with the religion of
secular humanism, while eroding community standards of decency:

(1) Policies that permit legally recognized or respected marriage of
any form of parody marriage that does not involve a man and a woman;
(2) policies that authorize the state to appropriate benefits to
individuals who entered into a parody marriage of any kind that does not
involve a man and a woman;
(3) policies that permit counties to issue marriage licenses to
individuals who seek legal recognition and respect of a marriage that does
not involve a man and a woman;
(4) policies that treat sexual orientation as a suspect class or as a basis
of prohibited discrimination under the assumption that sexual orientation is
predicated on immutability or genetics;
(5) policies that treat sexual orientation as a suspect class or as a basis
of prohibited discrimination under the assumption that parody marriage
that does not involve a man and a woman are a part of American history or
heritage;
(6) policies that respect a person's unproven belief that they were
born the gender that does not accord with the anatomy with which the
individual was born;
(7) policies that permit the state to appropriate tax dollars to pay for
sex change operations;
(8) policies that ban conversion therapy;
(9) policies that permit public libraries and public schools in the state
to partner with nonsecular organizations to promote, sponsor, host, favor,
or endorse the drag queen storytime or other similar, related secular
humanist programming that target children with apprehension that the
government approves;
(10) policies that mandate pronoun changes to respect the plausibility
of secular humanist ideology;
(11) policies that respect, condone, ratify or affirm homosexual,
transgender, zoophilia, objectophilia, polygamy, orthodoxy and sexual
orientation as if the doctrines were plausible, moral or decent and not a
political ploy or an imperialistic power play; and
(12) policies that permit a person or parent to change the sex on a
birth certificate that does not accord with the anatomy that the person was
born with.

c) The state shall no longer be in the parody marriage funding and
endorsement business and shall disentangle itself from the lesbian, gay, bisexual, transgender and questioning (LGBTQ) secular humanist church pursuant to this section and the establishment clause of the 1st amendment of the constitution of the United States. The state shall not, through any government action create, enforce or respect any LGBTQ or any other secular humanist policy whether directly or symbolically. The state shall maintain the separation of church and state, which includes separating itself from the non-institutionalized religions such as secular humanism, expressive individualism and postmodern western individualistic moral relativism.

Sec. 6. (a) Policies that respect and endorse a marriage between a man and a woman shall continue to be enforced because the policies are natural, neutral, non-controversial and secular in nature. The state will continue to enforce, respect, endorse and recognize marriage policies between a man and a woman because such marriage policies have a primary secular purpose, accomplishing non-religious objectives and do not put religion over non-religion, unlike policies that respect the various forms of parody marriage, which do not involve a man and a woman. The state will only issue marriage licenses to a man and a woman who meet the requirements by the governing state agency, because such state action is secular and does not excessively entangle the government with any religion nor does the recognition endorse a religion.

(b) Policies that respect and endorse a marriage between a man and a woman fulfill a compelling state interest by upholding community standards of decency and such policies are not a critic on religion.

(c) The state shall continue to enforce and recognize that marriage policies that respect a legal union that represents an intended lifelong commitment between one person who was born male and one person who was born female as husband and wife, who are of equal but opposite genders, who become spouses of the opposite sex, and who have corresponding sexual anatomy that, if coalesced, have the actual or symbolic potential to create an offspring whom likely has the input of the two spouses with whom the same genetic code and ancestral chain is shared.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.