



**Testimony for the House Judiciary Committee
February 20, 2020**

**HB 833 – Divorce and Annulment – Removal of Barriers to
Remarriage**

INFORMATIONAL

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The ACLU of Maryland supports religious freedom, personal autonomy, and gender equity for all people.

SB 536 seeks to address barriers to remarriage faced by individuals whose spouses refuse to provide the necessary documentation that would release that person from the religious obligations of marriage, and allow them to remarry. Such individuals, particularly women, often therefore become trapped in marriages they no longer want to be in.

In doing so, this bill addresses a grave imbalance of gender equity.

This bill tries to be neutral between religious and secular matters. For example, § 7-104.1(A) defines “barrier to remarriage” as “any restraint or inhibition, secular or religious, affecting remarriage...”

However, under § 7-104.1(B), the bill “applies only to a marriage solemnized by an official of a religious order or body...”

The ACLU of Maryland respectfully urges the Committee to consider removing references to religion throughout the bill, but specifically in § 7-104.1(B), to avoid singling out religious orders from secular orders. Such a change to the bill would lessen any risk of a legal challenge on Constitutional grounds.