

Emily Tarsell, LCPC

2314 Benson Mill Road
Sparks, Maryland 21152
phone: 410 472 1466

February 17, 2026

Oppose HB 356

Human Relations - Protection of the Free Exercise of Religion

Government, Labor and Elections Committee

Dear Chairwoman Wells, Vice Chair Kerr and Members of the Government, Labor and Elections Committee,

I am Emily Tarsell, a therapist, mother and concerned Marylander. I oppose HB 356 for the following reasons.

The title of this bill disguises the fact that the bill actually undermines the current protection of religious freedom that we already have in Maryland. This bill is not needed. Our religious rights are an inherent human right, God given, not to be burdened, manipulated or compromised by government interests, “compelling” or otherwise.

By explicitly defining “a substantial threat to public health” as a compelling governmental interest, the bill could make it easier for the state to justify public-health mandates—including vaccination requirements—against religious-freedom challenges, weakening rather than strengthening existing constitutional protections:

- Maryland already protects religious freedom in its Declaration of Rights, which states that no person shall be “molested” or burdened in their religious practice. HB 356 adds a new statutory framework that may conflict with or dilute these existing constitutional protections rather than reinforce them.
- The bill narrows religious-freedom protections by defining key terms in ways that could limit how courts interpret them. For example, the bill’s specific

definition of “substantial burden” may exclude burdens that Maryland courts currently recognize under broader constitutional standards.

●By codifying a particular version of the “compelling interest” test, the bill may unintentionally give the government more room to justify burdens on religion. Once the legislature defines what counts as a compelling interest, courts may defer to that definition even when it restricts religious exercise.

●The bill is unnecessary because Maryland courts already apply strict scrutiny to government actions that burden religious exercise. Creating a new statutory test risks replacing a strong, well-developed constitutional doctrine with a weaker, more government-friendly one.

Please give HB 356 an unfavorable vote. Thank you.

Sincerely,

Emily Tarsell

chriscare@live.com