



## **The Harms of Nevada S.J.R. 8 to Women, Religious Organizations, and Medical Providers' Rights of Conscience**

S.J.R. 8 would open the door to government-mandated discrimination, inequality, and coercion. As discussed below, it would hurt women, religious organizations and schools, medical professionals, and could even mandate that taxpayers pay for others to receive abortions.

### **Harms to Women and Girls in Sports, Academics, Economic Opportunities, and Privacy**

S.J.R. 8 would destroy the equality and opportunities women have worked so hard to achieve in education, athletics, and business. By enshrining “gender identity” in the state constitution, it would mandate that men who self-identify as women be allowed to compete for spots on female sports teams, women’s scholarships, and other academic and sports-related opportunities specifically for women. It would violate women’s privacy and dignity by forcing women’s shelters and private, intimate spaces, like locker rooms and restrooms, to be open to men. It could allow men to participate in business opportunities created exclusively for women. S.J.R. 8 would undermine existing statutes that create opportunities for Disadvantaged Business Enterprises, such as 2017’s AB 436 (codified at NRS § 231.14055) which supported women-owned businesses through numerous financing sources and other opportunities made available to them.

### **Harms to Faith-Based Schools, Colleges, and Non-Profit Organizations**

S.J.R. 8 would deny state financial aid to students at faith-based colleges and universities unless they abandon policies and practices reflecting their sincerely held beliefs about marriage and sexuality. It would significantly threaten the many social service organizations that receive state grants to enable them to better serve the most vulnerable among us every day. These organizations would be prohibited from living out their beliefs about marriage or human sexuality as a condition of continuing to receive state funding. It could even forbid religious schools and organizations from ensuring that their employees abide by their doctrines or beliefs about marriage, sexual behavior, and the distinction between the sexes.

### **Harms to Medical Rights of Conscience and Taxpayer Funding for Abortions**

Health professionals take an oath to “do no harm.” And yet many doctors, counselors, and healthcare practitioners believe that prescribing puberty blockers, cross-sex hormones, and bodily cosmetic surgery to otherwise healthy children who are struggling with their gender identity causes grave and often irreversible harm. Under S.J.R. 8, these healthcare professionals would be forced to either violate their oath to care for patients in accordance with their best medical judgment, or leave the medical profession altogether.

Several states have also interpreted nearly identical amendments to mandate taxpayer funding for abortion. In *New Mexico Right to Choose/NARAL v. Johnson*, 975 P.2d 841 (N.M. 1998), the New Mexico Supreme Court held that a similar amendment provides for a broader state constitutional right to abortion. As a result, the court struck down restrictions on the use of taxpayer funding to pay for abortions. Courts in Connecticut and Massachusetts struck down similar restrictions based on amendments like S.J.R. 8. *See Doe v. Maher*, 515 A.2d 134 (Conn. Super. Ct. 1986); *Moe v. Secretary of Administration and Finance*, 417 N.E.2d 387 (Mass. Sup. Jud. Ct. Suffolk 1981).