

CAPITOL OFFICE

State Capitol  
201 West Capitol Avenue  
Room 308A  
Jefferson City, MO 65101-6806  
Tele: (573) 751-0562  
Fax: (573) 522-0489  
[tim.jones@house.mo.gov](mailto:tim.jones@house.mo.gov)



**TIMOTHY W. JONES**  
Speaker of the House  
Missouri House of Representatives

DISTRICT OFFICE

P.O. Box 434  
Eureka, MO 63025  
[tim@timwjones.org](mailto:tim@timwjones.org)

RECEIVED

MAR 20 2013

MO. ATTORNEY GENERAL

March 20, 2013

Attorney General Chris Koster  
Supreme Court Building  
207 W. High St.  
Jefferson City, Missouri 65102

Dear Attorney General Koster:

I know that many in the state are just as disappointed as I am in yesterday's U.S. District Court decision striking down Senate Bill 749, the law the General Assembly passed last year to protect our state from provisions in federal law which would essentially force religious institutions to provide insurance coverage for procedures and medications which violate their core beliefs.

Overriding Governor Nixon's veto of Senate Bill 749 was one of my first acts as the Speaker of the Missouri House. It was an honor and privilege to play an important role in passing this necessary protection of our First Amendment rights into law, and it is my hope that in the coming months this protection will once again be restored.

I hope that you will immediately appeal this decision. And I trust that you will argue on appeal that the federal contraception mandate violates the federal Religious Freedom Restoration Act, as well as the First Amendment right to freedom of religion. Just last week, a federal judge in Michigan enjoined enforcement of the contraception mandate and prohibited the federal government from violating the religious freedom of business owners in that state. As Attorney General, our state counts on you to defend our laws when they are under attack and the citizens of Missouri count on you to stand up for their constitutional freedoms.

Without SB749, numerous Missouri citizens, businesses, and religious organizations will be forced to either pay massive fines or provide insurance coverage for their employees for procedures that run counter to their religious beliefs. That is not right and it is not constitutional. The First Amendment trumps the overreach of Obamacare and its mandates.

Some argue that this is not necessary because the federal government has required insurance companies to provide coverage at no cost to certain organizations. However, the idea that "it is the insurance companies providing the coverage, not the paying organization" is nothing more than a ruse.

Not only does the federal government lack the authority to mandate that a business provide a commodity at no cost, it is also a simple matter of fact that insurance companies will not take a penalty to their profits to comply with this portion of the federal healthcare law. Instead, they will pass the cost along

Attorney General Chris Koster

Page 2

March 20, 2013

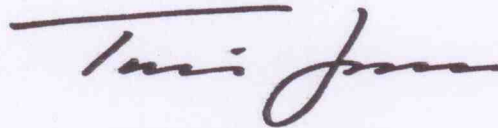
to their customers, meaning that those organizations which object to paying for abortion-inducing drugs will still be paying the cost of coverage; it just will not be itemized on their bills.

But more to the point, this federal workaround does not address the important issue of private business owners with religious and moral objections to this insurance requirement. Paying for this coverage is just as much a violation of their First Amendment rights as it is for non-profit religious organizations.

By filing an appeal on behalf of our state and arguing against the constitutionality of the contraception mandate, you can help to protect our right to religious freedom from being interfered with by a federal government which has clearly overreached its constitutional authority.

I hope that you will join me and a strong majority of Missourians who believe strongly in our rights of religious freedom, in defending Missouri law, SB749, and our First Amendment rights under the U.S. Constitution.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tim Jones", with a long horizontal line above the first name.

TIMOTHY W. JONES  
SPEAKER OF THE HOUSE