



October 30, 2017

ATTORNEY GENERAL MADIGAN FILES SUPREME COURT BRIEF DEFENDING CONSTITUTIONALITY OF ANTI-DISCRIMINATION LAWS***Amicus Brief Filed in Case Involving Colorado Business that Refused to Serve Same-Sex Couple***

Chicago — Arguing that a business owner’s personal beliefs do not give him a right to discriminate against customers, Attorney General Lisa Madigan, along with 19 attorneys general, filed an amicus brief in the U.S. Supreme Court defending the constitutionality of Colorado’s public accommodations law.

The brief was filed in the U.S. Supreme Court in the case of *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*. The owner of the bakery is challenging the Colorado public accommodations law, claiming it violates his rights to freedom of speech and free exercise of religion. Madigan and the other attorneys general filed the brief in support of the Colorado Civil Rights Commission and the couple to whom Masterpiece Cakeshop refused to sell a wedding cake.

In the brief, Madigan and the other attorneys general write that states across the country have enacted laws to prohibit discrimination against LGBTQ people in the commercial marketplace, and that “these laws ensure equal access to goods and services and combat the severe personal, economic, and social harms caused by discrimination.” The attorneys general argue that, under a long line of Supreme Court precedent, requiring businesses to comply with such laws does not violate the Constitution.

The attorneys general further argue that the First Amendment exemption to public accommodations laws sought by the bakery would dramatically undermine anti-discrimination laws.

In part, the brief states:

“Allowing commercial businesses to use the First Amendment as a shield for discriminatory conduct would undermine state civil rights laws and the vital benefits they provide to residents and visitors, leaving behind a society separate and unequal by law. Many Americans would face exclusion from a host of everyday businesses or, at the very least, the ever-present threat that any business owner could refuse to serve them when they walk in the door—simply because of their sexual orientation, or their race, religion, or gender.”

Joining Madigan in filing the amicus brief are the attorneys general of California, Connecticut, Delaware, the District of Columbia, Hawaii, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia and Washington.

A copy of the brief can be found [here](#).

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