

1 HB144
2 187639-1
3 By Representative Mooney (Constitutional Amendment)
4 RFD: Constitution, Campaigns and Elections
5 First Read: 09-JAN-18

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8 SYNOPSIS: Section 3 of Article I of the Constitution
9 of Alabama of 1901, now appearing as Section 3 of
10 the Official Recompilation of the Constitution of
11 1901, as amended, contains various provisions
12 relating to religious freedom. This section does
13 not include any provision concerning the display of
14 the Ten Commandments.

15 Section 263 of Article XIV of the
16 Constitution of Alabama of 1901, now appearing as
17 Section 263 of Article XIV of the Official
18 Recompilation of the Constitution of 1901, as
19 amended, prohibits public school funds being
20 appropriated to any sectarian or denominational
21 school.

22 Amendment 622 to the Constitution of Alabama
23 of 1901, now appearing as Section 3.01 of Article I
24 of the Official Recompilation of the Constitution
25 of 1901, as amended, the Alabama Religious Freedom
26 Amendment, provides that freedom of religion may
27 not be burdened by state and local law.

1 The proposed amendment would provide that
2 property belonging to the state may be used to
3 display the Ten Commandments and that the right to
4 display the Ten Commandments on property owned or
5 administrated by a public school or public body is
6 not restrained or abridged.

7 The proposed amendment would also provide
8 that every person would be at liberty to worship
9 according to his or her own conscience and that no
10 person would be compelled to attend or support a
11 place of worship or a minister.

12 The proposed amendment would also provide
13 that the civil and political rights, privileges,
14 and capacities of no person may be diminished or
15 enlarged on account of his or her religious
16 beliefs.

17 The proposed amendment would prohibit the
18 expenditure of public funds in defense of the
19 constitutionality of this amendment.

20
21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 Proposing an amendment to the Constitution of
26 Alabama of 1901, providing for certain religious rights and
27 liberties; authorizing the display of the Ten Commandments on

1 state property and property owned or administrated by a public
2 school or public body; and prohibiting the expenditure of
3 public funds in defense of the constitutionality of this
4 amendment.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. The following amendment to the
7 Constitution of Alabama of 1901, as amended, is proposed and
8 shall become valid as a part thereof when approved by a
9 majority of the qualified electors voting thereon and in
10 accordance with Sections 284, 285, and 287 of the Constitution
11 of Alabama of 1901, as amended:

12 PROPOSED AMENDMENT

13 Every person shall be at liberty to worship God
14 according to the dictates of his or her own conscience. No
15 person shall be compelled to attend, or, against his or her
16 consent, to contribute to the erection or support of any place
17 of religious worship, or to pay tithes, taxes, or other rates
18 for the support of any minister of the gospel. Property
19 belonging to the state may be used to display the Ten
20 Commandments, and the right of a public school and public body
21 to display the Ten Commandments on property owned or
22 administrated by a public school or public body in this state
23 is not restrained or abridged. The civil and political rights,
24 privileges, and capacities of no person shall be diminished or
25 enlarged on account of his or her religious belief. No public
26 funds may be expended in defense of the constitutionality of
27 this amendment.

1 The Ten Commandments shall be displayed in a manner
2 that complies with constitutional requirements, including, but
3 not limited to, being intermingled with historical or
4 educational items, or both, in a larger display within or on
5 property owned or administrated by a public school or public
6 body.

7 Section 2. An election upon the proposed amendment
8 shall be held in accordance with Sections 284 and 285 of the
9 Constitution of Alabama of 1901, now appearing as Sections 284
10 and 285 of the Official Recompilation of the Constitution of
11 Alabama of 1901, as amended, and the election laws of this
12 state.

13 Section 3. The appropriate election official shall
14 assign a ballot number for the proposed constitutional
15 amendment on the election ballot and shall set forth the
16 following description of the substance or subject matter of
17 the proposed constitutional amendment:

18 "Proposing an amendment to the Constitution of
19 Alabama of 1901, providing for certain religious rights and
20 liberties; authorizing the display of the Ten Commandments on
21 state property and property owned or administrated by a public
22 school or public body; and prohibiting the expenditure of
23 public funds in defense of the constitutionality of this
24 amendment.

25 "Proposed by Act _____."

26 This description shall be followed by the following
27 language:

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"Yes () No ()."