

1 SB40
2 145936-1
3 By Senators Dial, Waggoner, Glover, Allen, Whatley, Holley,
4 McGill, Fielding, Brewbaker, Scofield, Williams, Reed, Marsh
5 and Pittman (Constitutional Amendment)
6 RFD: Constitution, Campaign Finance, Ethics, and Elections
7 First Read: 05-FEB-13
8 PFD: 01/09/2013

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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, expresses 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 This bill would propose a constitutional
2 amendment which would provide that property
3 belonging to the state may be used to display the
4 Ten Commandments and that the right to display the
5 Ten Commandments on property owned or administrated
6 by a public school or public body is not restrained
7 or abridged.

8 This bill would also provide that every
9 person would be at liberty to worship according to
10 his or her own conscience; and that no person would
11 be compelled to attend or support a place of
12 worship or a minister.

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

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

20 This bill would specify an election date.

21
22 A BILL

23 TO BE ENTITLED

24 AN ACT

25
26 Proposing an amendment to the Constitution of
27 Alabama of 1901, providing for certain religious rights and

1 liberties; authorizing the display of the Ten Commandments on
2 state property and property owned or administrated by a public
3 school or public body; prohibiting the expenditure of public
4 funds in defense of the constitutionality of this amendment;
5 and specifying an election date.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

13 PROPOSED AMENDMENT

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

1 funds may be expended in defense of the constitutionality of
2 this amendment.

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

9 Section 3. The appropriate election official shall
10 assign a ballot number for the proposed constitutional
11 amendment on the election ballot and shall set forth the
12 following description of the substance or subject matter of
13 the proposed constitutional amendment:

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

21 "Proposed by Act _____. "

22 This description shall be followed by the following
23 language:

24 "Yes () No ()."