

1 SB97  
2 164416-1  
3 By Senators Dial, McClendon, Shelnutt, Melson, Allen, Marsh,  
4 Reed, Bussman, Williams, Stutts, Albritton, Waggoner,  
5 Chambliss, Pittman, Holley and Whatley (Constitutional  
6 Amendment)  
7 RFD: Judiciary  
8 First Read: 02-FEB-16

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

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

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

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

27 "Proposed by Act \_\_\_\_\_."

1                    This description shall be followed by the following  
2       language:  
3                    "Yes ( ) No ( )."