SB181

189766-1

By Senator Dial (Constitutional Amendment)

RFD: Constitution, Ethics and Elections

First Read: 16-JAN-18
SYNOPSIS: Section 3 of Article I of the Constitution of Alabama of 1901, now appearing as Section 3 of the Official Recompilation of the Constitution of 1901, as amended, contains various provisions relating to religious freedom. This section does not include any provision concerning the display of the Ten Commandments.

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

Amendment 622 to the Constitution of Alabama of 1901, now appearing as Section 3.01 of Article I of the Official Recompilation of the Constitution of 1901, as amended, the Alabama Religious Freedom Amendment, provides that freedom of religion may not be burdened by state and local law.
The proposed amendment would propose a constitutional amendment which would provide that property belonging to the state may be used to display the Ten Commandments and that the right to display the Ten Commandments on property owned or administrated by a public school or public body is not restrained or abridged.

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

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

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

A BILL TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

PROPOSED AMENDMENT

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

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

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

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

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

"Proposed by Act ________."
This description shall be followed by the following language:

"Yes ( ) No ( )."