

1 SB12  
2 207861-1  
3 By Senator Allen (Constitutional Amendment)  
4 RFD: Education Policy  
5 First Read: 02-FEB-21  
6 PFD: 10/21/2020

SYNOPSIS:            This bill would propose an amendment to the Constitution of Alabama of 1901, to require local boards of education to adopt policies requiring each K-12 public school to broadcast or sanction the performance of The Star-Spangled Banner at the commencement of each school-sanctioned sporting event and at least once per week at each public school during school hours.

A BILL  
TO BE ENTITLED  
AN ACT

Proposing an amendment to the Constitution of Alabama of 1901, to require local boards of education to adopt policies requiring each K-12 public school to broadcast or sanction the performance of The Star-Spangled Banner at the commencement of each school-sanctioned sporting event and at least once per week at each public school during school hours.  
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1                   Section 1. The Legislature finds and declares the  
2 following:

3                   (1) During the Battle for Baltimore of the War of  
4 1812, Francis Scott Key visited the British fleet in the  
5 Chesapeake Bay on September 7, 1814, to secure the release of  
6 Dr. William Beanes, who had been captured after the British  
7 burned Washington, D.C.

8                   (2) The release of Dr. Beanes was secured, but Key  
9 and Beanes were held by the British during the shelling of  
10 Fort McHenry, one of the forts defending Baltimore.

11                   (3) On the morning of September 14, 1814, after the  
12 25-hour British bombardment of Fort McHenry, Key peered  
13 through the clearing smoke to see a 42-foot by 30-foot  
14 American flag flying proudly atop the Fort.

15                   (4) He was so inspired to see the enormous flag  
16 still flying over the Fort that he began penning a song, which  
17 he named The Defence of Fort McHenry, to commemorate the  
18 occasion and he included a note that it should be sung to the  
19 tune of the popular British melody To Anacreon in Heaven.

20                   (5) In 1916, President Woodrow Wilson ordered that  
21 the anthem, which had been popularly renamed The Star-Spangled  
22 Banner, be played at military and naval occasions.

23                   (6) On March 3, 1931, President Herbert Hoover  
24 signed a resolution of Congress that officially designated  
25 The Star-Spangled Banner as the National Anthem of the United  
26 States.

1 (7) For over 100 years, The Star-Spangled Banner has  
2 served to inspire generations of patriotic Americans, and it  
3 is imperative that students have exposure to this history and  
4 inspiration.

5 Section 2. The following amendment to the  
6 Constitution of Alabama of 1901, as amended, is proposed and  
7 shall become valid as a part thereof when approved by a  
8 majority of the qualified electors voting thereon and in  
9 accordance with Sections 284, 285, and 287 of the Constitution  
10 of Alabama of 1901, as amended:

11 PROPOSED AMENDMENT

12 (a) Each local board of education shall adopt a  
13 policy requiring each public K-12 school under its  
14 jurisdiction to broadcast The Star-Spangled Banner as follows:

15 (1) At the commencement of each school-sanctioned  
16 sporting event, except that if any part of two or more  
17 school-sanctioned sporting events occur on the same day at the  
18 same school, a school may choose to broadcast The  
19 Star-Spangled Banner at only one of the events.

20 (2) During school hours, at least once per week.

21 (b) (1) A local board of education shall select for  
22 broadcast, pursuant to subsection (a), any recording of The  
23 Star-Spangled Banner that is archived within the Library of  
24 Congress and available on the Library of Congress website.

25 (2) A local board of education, alternatively, may  
26 adopt a policy allowing for any of the following at

1 school-sanctioned sporting events or during school hours, or  
2 both:

3 a. The performance of The Star-Spangled Banner from  
4 original sheet music, archived within the Library of Congress  
5 and available on its website, by a school-sanctioned band  
6 program, chorale program, vocal group, or vocalist.

7 b. The performance of The Star-Spangled Banner by  
8 the body of attendees of the event, to be led by a vocalist  
9 selected by the principal of the school hosting the event.

10 Section 3. An election upon the proposed amendment  
11 shall be held in accordance with Sections 284 and 285 of the  
12 Constitution of Alabama of 1901, now appearing as Sections 284  
13 and 285 of the Official Recompilation of the Constitution of  
14 Alabama of 1901, as amended, and the election laws of this  
15 state.

16 Section 4. The appropriate election official shall  
17 assign a ballot number for the proposed constitutional  
18 amendment on the election ballot and shall set forth the  
19 following description of the substance or subject matter of  
20 the proposed constitutional amendment:

21 "Proposing an amendment to the Constitution of  
22 Alabama of 1901, as amended; to require local boards of  
23 education to adopt policies requiring each K-12 public school  
24 to broadcast or sanction the performance of The Star-Spangled  
25 Banner at the commencement of each school-sanctioned sporting  
26 event and at least once per week at each public school during  
27 school hours."

1 "Proposed by Act \_\_\_\_\_."

2 This description shall be followed by the following

3 language:

4 "Yes ( ) No ( )."