

SECOND REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 31

95TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR SCOTT.

Read 1st time January 13, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 5 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to religious freedom.

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*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on  
2 Tuesday next following the first Monday in November, 2010, or at a special  
3 election to be called by the governor for that purpose, there is hereby submitted  
4 to the qualified voters of this state, for adoption or rejection, the following  
5 amendment to article I of the Constitution of the state of Missouri:

Section A. Section 5, article I, Constitution of Missouri, is repealed and  
2 one new section adopted in lieu thereof, to be known as section 5, to read as  
3 follows:

Section 5. That all men **and women** have a natural and indefeasible  
2 right to worship Almighty God according to the dictates of their own consciences;  
3 that no human authority can control or interfere with the rights of conscience;  
4 that no person shall, on account of his **or her** religious persuasion or belief, be  
5 rendered ineligible to any public office or trust or profit in this state, be  
6 disqualified from testifying or serving as a juror, or be molested in his person or  
7 estate; **that to secure a citizen's right to acknowledge almighty God**  
8 **according to the dictates of his or her own conscience, neither the state**  
9 **nor any of its political subdivisions shall establish any official religion,**  
10 **nor shall a citizen's right to pray or express his or her religious beliefs**  
11 **be infringed; that the state shall not coerce any person to participate**  
12 **in any prayer or other religious activity, but shall ensure that any**  
13 **person shall have the right to pray individually or corporately in a**  
14 **private or public setting so long as such prayer does not result in**

15 **disturbance of the peace or disruption of a public meeting or assembly**  
16 **or impede public access; that citizens as well as elected officials and**  
17 **employees of the state of Missouri and its political subdivisions shall**  
18 **have the right to pray and to acknowledge God and express their**  
19 **religious beliefs on government premises and public property so long**  
20 **as such prayers and other expressions abide within the same**  
21 **parameters placed upon any other free speech under similar**  
22 **circumstances; that the general assembly and the governing bodies of**  
23 **political subdivisions may solemnize public proceedings by extending**  
24 **to ministers, clergypersons, and other individuals the invitation to offer**  
25 **invocations or other prayers at meetings or sessions of the general**  
26 **assembly or governing bodies; that the state shall ensure public school**  
27 **students their right to free exercise of religious expression without**  
28 **interference, as long as such prayer, acknowledgment of God, or other**  
29 **expression is private and voluntary, whether individually or**  
30 **corporately, and in a manner that is not disruptive and as long as such**  
31 **prayers or expressions abide within the same parameters placed upon**  
32 **any other free speech under similar circumstances; that students may**  
33 **express their beliefs about religion in written and oral assignments free**  
34 **from discrimination based on the religious content of their work; that**  
35 **no student shall be compelled to perform or participate in academic**  
36 **assignments or educational presentations that violate their religious**  
37 **beliefs; and, to emphasize the right to free exercise of religious**  
38 **expression, that all free public schools receiving state appropriation**  
39 **shall display, in a conspicuous and legible manner, the text of the Bill**  
40 **of Rights of the United States Constitution; but this section shall not be**  
41 **construed to expand the rights of prisoners in state or local custody**  
42 **beyond those afforded by the laws of the United States, excuse acts of**  
43 **licentiousness, nor to justify practices inconsistent with the good order, peace or**  
44 **safety of the state, or with the rights of others.**

Section B. Pursuant to chapter 116, RSMo, and other applicable  
2 constitutional provisions and laws of this state allowing the general assembly to  
3 adopt ballot language for the submission of a joint resolution to the voters of this  
4 state, the official ballot title of the amendment proposed in section A of this  
5 resolution shall be as follows:

6 "Shall the Missouri Constitution be amended to ensure:

7 • That the right of Missouri citizens to express their religious beliefs

8 shall not be infringed;  
9 • That school children have the right to pray and acknowledge God  
10 voluntarily in their schools; and  
11 • That all public schools shall display the Bill of Rights of the United  
12 States Constitution.".



Unofficial

Bill

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