

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 ENGROSSED SENATE
5 CONCURRENT
6 RESOLUTION NO. 1

7 By: Standridge, Dahm, Allen,
8 Bergstrom, Bice, Boggs,
9 Bullard, Coleman, Daniels,
10 David, Dossett, Dugger,
11 Hall, Haste, Howard, Ikley-
12 Freeman, Jech, Kidd,
13 Leewright, McCortney,
14 Montgomery, Murdock,
15 Newhouse, Paxton, Pederson,
16 Pemberton, Pugh, Quinn,
17 Rader, Rosino, Scott,
18 Sharp, Shaw, Silk, Simpson,
19 Smalley, Stanislowski,
20 Stanley, Thompson and
21 Weaver of the Senate

22 and

23 Echols of the House

24 A Concurrent Resolution urging the ratification of
the Parental Rights Amendment to the United States
Constitution; and directing distribution.

WHEREAS, the right of parents to direct the upbringing,
education and care of their children is a fundamental right
protected by the Constitutions of the United States and the State of
Oklahoma; and

1 WHEREAS, our nation has historically relied first and foremost
2 on parents to meet the real and constant needs of children; and

3 WHEREAS, the interests of children are best served when parents
4 are free to make childrearing decisions about education, religion
5 and other areas of a child's life without state interference; and

6 WHEREAS, the United States Supreme Court in Wisconsin v. Yoder
7 (1972) has held that "this primary role of the parents in the
8 upbringing of their children is now established beyond debate as an
9 enduring American tradition"; and

10 WHEREAS, however, the United States Supreme Court in Troxel v.
11 Granville (2000) produced six different opinions on the nature and
12 enforceability of parental rights under the United States
13 Constitution; and

14 WHEREAS, this decision has created confusion and ambiguity about
15 the fundamental nature of parental rights in the laws and society of
16 several states; and

17 WHEREAS, Senator Lindsey Graham of the State of South Carolina
18 and Representative Jim Banks of the State of Indiana introduced in
19 the United States Congress an amendment to the United States
20 Constitution to prevent erosion of the enduring American tradition
21 of treating parental rights as fundamental rights:

22 SECTION ONE: The liberty of parents to direct the upbringing,
23 education, and care of their children is a fundamental right.

24

1 SECTION TWO: The parental right to direct education includes the
2 right to choose, as an alternative to public education, private,
3 religious or home schools and the right to make reasonable choices
4 within public schools for one's child.

5 SECTION THREE: Neither the United States nor any State shall
6 infringe upon this right without demonstrating that its governmental
7 interest as applied to the person is of the highest order and not
8 otherwise served.

9 SECTION FOUR: The parental rights guaranteed by this article
10 shall not be denied or abridged on account of disability.

11 SECTION FIVE: This article shall not be construed to apply to a
12 parental action or decision that would end life; and

13 WHEREAS, this amendment will add explicit text to the
14 Constitution of the United States to protect in perpetuity the
15 rights of parents as they are now enjoyed, without substantive
16 change to current state or federal laws respecting these rights; and

17 WHEREAS, such enumeration of these rights in the text of the
18 Constitution will preserve them from being infringed upon by the
19 shifting ideologies and interpretations of the United States Supreme
20 Court.

21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION
22 OF THE 57TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES
23 CONCURRING THEREIN:

24

1 THAT we hereby affirm the Parental Rights Amendment to the
2 United States Constitution as presented to the United States
3 Congress by Senator Lindsey Graham of the State of South Carolina
4 and Representative Jim Banks of the State of Indiana and as
5 referenced herein.

6 THAT this Legislature urges the members of the United States
7 Congress to propose the Parental Rights Amendment to the States for
8 ratification.

9 THAT a certified copy of this resolution be transmitted to the
10 President of the United States Senate, the Speaker of the United
11 States House of Representatives and to the Oklahoma Congressional
12 Delegation.

13
14 DIRECT TO CALENDAR.

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