

HJR 2 -- RELIGIOUS FREEDOM IN PUBLIC PLACES

SPONSOR: McGhee

COMMITTEE ACTION: Voted "do pass" by the Committee on Children and Families by a vote of 6 to 3.

Upon voter approval, this proposed constitutional amendment guarantees a citizen's right to pray and worship in all public areas including schools as long as the activities are voluntary and subject to the same rules and regulations that apply to all other types of speech.

A citizen's right to choose any religion or no religion at all is reaffirmed by prohibiting the state or any of its political subdivisions from establishing an official state religion and from coercing any person to participate in any prayer or other religious activity.

The resolution also reaffirms the right of employees and elected officials of the State of Missouri to pray on government premises and public property and ensures the General Assembly and other political subdivisions the right to have ministers and clergymen offer prayers or invocations at meetings or sessions of the General Assembly or governing bodies.

Students are allowed to express their religious beliefs in assignments free from discrimination and cannot be compelled to participate in assignments that violate their beliefs. Public schools receiving state funds are required to display the text of the Bill of Rights of the Constitution of the United States in a conspicuous and legible manner.

The resolution does not expand the religious rights of prisoners beyond those guaranteed by existing federal laws.

FISCAL NOTE: Estimated Net Effect on General Revenue Fund of an income of \$0 or a cost of More than \$7,000,000 in FY 2012, an income of \$0 in FY 2013, and an income of \$0 in FY 2014. No impact on Other State Funds in FY 2012, FY 2013, and FY 2014.

PROPONENTS: Supporters say that the bill is important because of recent litigation. It is important to delineate our rights. There is more systemic and societal ignorance about the expression of religion today than ever before. Our schools and institutions develop policies based on insurance and financial risks instead of where rights begin and end.

Testifying for the bill were Representative McGhee; Missouri Family Policy Council; and Missouri Family Network.

OPPONENTS: Those who oppose the bill say that it does not add any rights that Missouri citizens do not already have. The bill is confusing and creates openings for litigation.

Testifying against the bill were American Civil Liberties Union - Eastern Missouri; and NARAL Pro-Choice Missouri.