

HJR 39 -- RELIGIOUS FREEDOM IN PUBLIC PLACES

SPONSOR: Bearden

COMMITTEE ACTION: Voted "do pass" by the Committee on Children and Families by a vote of 7 to 4.

This proposed constitutional amendment guarantees, upon voter approval, a citizen's First Amendment 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.

The amendment also reaffirms a citizen's right to choose any religion or no religion at all by prohibiting both the establishment of an official state religion and any state coercion or endorsement of religion through practices as composing official state prayers.

Public schools receiving state funds are required to display the text of the First Amendment of the Constitution of the United States in a conspicuous and legible manner.

FISCAL NOTE: Estimated Cost on General Revenue Fund of \$52,560 in FY 2007, \$0 in FY 2008, and \$0 in FY 2009. No impact on Other State Funds in FY 2007, FY 2008, or FY 2009.

PROPOSERS: Supporters say that the bill will assure the religious freedoms of those who would like to pray in public arenas, such as schools and state-owned buildings. Requiring public schools to display the text of the First Amendment will help those students that are not aware of their rights to engage in private and voluntary prayer during school hours. The bill will clarify 40 years of confusion since the United States Supreme Court started to hear prayer in school cases.

Testifying for the bill were Representative Bearden; Missouri Eagle Forum; Missouri Family Network; Missouri Baptist Convention, Christian Life Commission; Missouri First; and Nancy Sander.

OPPOSERS: There was no opposition voiced to the committee.

Dominic Lackey, Legislative Analyst