

SECOND REGULAR SESSION
[CORRECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE JOINT RESOLUTION NO. 55
94TH GENERAL ASSEMBLY

Reported from the Special Committee on General Laws February 5, 2008 with recommendation that House Committee Substitute for House Bill No. 55 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

4074L.02C

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 the right to pray.

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

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2008, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article I of the Constitution of the state of Missouri:

Section A. Section 5, article I, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 5, to read as follows:

Section 5. That all men **and women** have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences; that no human authority can control or interfere with the rights of conscience; that no person shall, on account of his **or her** religious persuasion or belief, be rendered ineligible to any public office or trust or profit in this state, be disqualified from testifying or serving as a juror, or be molested in his **or her** person or estate; **that to secure a citizen's right to acknowledge Almighty God according to the dictates of his or her own conscience, neither the state nor any of its political subdivisions**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 shall establish any official religion, nor shall a citizen's right to pray or express his or her
9 religious beliefs be infringed; that the state shall not coerce any person to participate in any
10 prayer or other religious activity, but shall ensure that any person shall have the right to
11 pray individually or corporately in a private or public setting so long as such prayer does
12 not result in disturbance of the peace or disruption of a public meeting or assembly; that
13 citizens as well as elected officials and employees of the state of Missouri and its political
14 subdivisions shall have the right to pray on government premises and public property so
15 long as such prayers abide within the same parameters placed upon any other free speech
16 under similar circumstances; that the General Assembly and the governing bodies of
17 political subdivisions may extend to ministers and clergypersons the privilege to offer
18 invocations or other prayers at meetings or sessions of the General Assembly or governing
19 bodies; that the state shall ensure public school students their right to free exercise of
20 religious expression without interference, as long as such prayer or other expression is
21 private and voluntary, whether individually or corporately, and in a manner that is not
22 disruptive and as long as such prayers or expressions abide within the same parameters
23 placed upon any other free speech under similar circumstances; and, to emphasize the
24 right to free exercise of religious expression, that all free public schools receiving state
25 appropriations shall display, in a conspicuous and legible manner, the text of the Bill of
26 Rights of the Constitution of the United States; but this section shall not be construed to
27 excuse acts of licentiousness, nor to justify practices inconsistent with the good order, peace or
28 safety of the state, or with the rights of others.

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

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6 "A 'yes' vote will amend the Constitution of the State of Missouri to ensure that
7 schoolchildren have the right to pray and exercise other free religious expression in a
8 nondisruptive manner in their school, and that public schools shall display the First Amendment
9 text.

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11 A 'no' vote would not amend the Constitution of the State of Missouri."

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