

House Joint Resolution 14 - Introduced

HOUSE JOINT RESOLUTION 14
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HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to religion and religious
3 practices.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Section 3 of Article I of the Constitution of the State of
4 Iowa is repealed and the following adopted in lieu thereof:

5 **Religion.** SEC. 3. All men and women have a natural and
6 indefeasible right to worship God according to the dictates of
7 their own consciences and no human authority can control or
8 interfere with the rights of conscience.

9 In order to secure a citizen's right to acknowledge God
10 according to the dictates of the citizen's own conscience,
11 neither the state nor any of its political subdivisions shall
12 establish any official religion, nor shall a citizen's right to
13 pray or express the citizen's religious beliefs be infringed.

14 The state shall not coerce any person to participate in any
15 prayer or other religious activity, but shall ensure that any
16 person shall have the right to pray individually or corporately
17 in a private or public setting as long as such prayer does not
18 result in the disturbance of the peace or the disruption of a
19 public meeting or assembly.

20 Citizens as well as elected officials and employees of the
21 state and its political subdivisions shall have the right to
22 pray on government premises and public property as long as such
23 prayers abide within the same regulations placed upon any other
24 free speech under similar circumstances.

25 The general assembly and the governing bodies of political
26 subdivisions may extend to ministers, clergypersons, and other
27 individuals the privilege to offer invocations or other prayers
28 at meetings or sessions of the general assembly or governing
29 bodies.

30 Students may express their beliefs about religion in written
31 and oral assignments free from discrimination based on the
32 religious content of their work, and a student shall not be
33 compelled to perform or participate in academic assignments or
34 educational presentations that violate the student's religious
35 beliefs, and the state shall ensure that public school students

1 have a right to free exercise of religious expression without
2 interference, as long as such prayer or other expression is
3 private and voluntary, whether individually or corporately, and
4 in a manner that is not disruptive and as long as such prayers
5 or expressions abide within the same regulations placed upon
6 any other free speech under similar circumstances.

7 All public schools receiving state appropriations shall
8 display, in a conspicuous and legible manner, the text of the
9 Bill of Rights of the Constitution of the United States and the
10 Declaration of Independence.

11 This section shall not be construed to expand the rights of
12 prisoners in state or local custody beyond those afforded by
13 the laws of the United States, excuse acts of immorality, or to
14 justify practices inconsistent with the good order, peace, or
15 safety of the state, or with the rights of others.

16 Sec. 2. PUBLICATION AND REFERRAL TO NEXT GENERAL
17 ASSEMBLY. The foregoing proposed amendment to the Constitution
18 of the State of Iowa is referred to the general assembly to be
19 chosen at the next general election for members of the general
20 assembly, and the secretary of state is directed to cause the
21 proposed amendment to be published for three consecutive months
22 previous to the date of that election as provided by law.

23 EXPLANATION

24 This joint resolution proposes an amendment to the
25 Constitution of the State of Iowa relating to religion and
26 religious practices.

27 Article I, section 3, of the Iowa Constitution currently
28 provides that the general assembly shall make no law respecting
29 an establishment of religion, or prohibiting the free exercise
30 thereof; nor shall any person be compelled to attend any place
31 of worship, pay tithes, taxes, or other rates for building
32 or repairing places of worship, or the maintenance of any
33 minister, or ministry.

34 The resolution repeals article I, section 3 of the Iowa
35 Constitution and specifically provides that all men and women

1 have a natural and infeasible right to worship God as they
2 so choose, that no human authority can control or interfere
3 with the rights of conscience, and that neither the state nor
4 any of its political subdivisions shall establish any official
5 religion or coerce any person to participate in any prayer or
6 other religious activity, but shall ensure that any person
7 shall have the right to pray in a private or public setting,
8 including schools, as long as such prayer does not result in
9 the disturbance of the peace or the disruption of a public
10 meeting or assembly. Citizens as well as elected officials
11 and employees of the state and its political subdivisions
12 shall have the right to pray on government premises and
13 public property as long as such prayers abide within the same
14 regulations placed upon any other free speech under similar
15 circumstances. The general assembly and the governing bodies
16 of political subdivisions may allow ministers, clergypersons,
17 and other individuals to offer invocations or other prayers
18 at meetings or sessions of the general assembly or governing
19 bodies.

20 The resolution further provides that students are allowed
21 to express their religious beliefs in assignments free from
22 discrimination and cannot be required to participate in
23 assignments or presentations that violate their beliefs. A
24 public school receiving state funds is required to display the
25 text of the Bill of Rights of the United States Constitution
26 and the Declaration of Independence in a conspicuous and
27 legible manner.

28 The resolution shall not be construed to expand the rights of
29 prisoners in state or local custody beyond those afforded by
30 federal law, excuse acts of immorality, or to justify practices
31 inconsistent with the good order, peace, or safety of the
32 state, or with the rights of others.

33 The resolution, if adopted, would be published and then
34 referred to the next general assembly (86th) for adoption,
35 before being submitted to the electorate for ratification.