

SECOND REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 48

92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BEARDEN (Sponsor), MYERS, BIVINS, SCHNEIDER, BAKER,  
MORRIS, WILSON (119), STEFANICK, GOODMAN, SUTHERLAND, CRAWFORD, ERVIN,  
BOUGH, KING, REINHART, JETTON, DEEKEN, MOORE, SMITH AND STEVENSON (Co-sponsors).

Read 1<sup>st</sup> time February 2, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4153L.011

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## 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.

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*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  
2 following the first Monday in November, 2004, or at a special election to be called by the  
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for  
4 adoption or rejection, the following amendment to article I of the Constitution of the state of  
5 Missouri:

Section A. Section 5, article I, Constitution of Missouri, is repealed and one new section  
2 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  
2 Almighty God according to the dictates of their own consciences; that no human authority can  
3 control or interfere with the rights of conscience; that no person shall, on account of his **or her**  
4 religious persuasion or belief, be rendered ineligible to any public office or trust or profit in this  
5 state, be disqualified from testifying or serving as a juror, or be molested in his **or her** person  
6 or estate; **that to secure a citizen's right to acknowledge Almighty God according to the**  
7 **dictates of personal convictions, neither the state nor any of its political subdivisions shall**  
8 **establish any official religion, but a citizen's right to pray or to express his or her religious**

9 **beliefs on any public property, including schools, shall not be infringed; that the state shall**  
10 **not compose prayers nor coerce any person to participate in any prayer or other religious**  
11 **activity, but shall ensure public school students their right to free exercise of religious**  
12 **expression without interference, as long as such prayer or other expression is private and**  
13 **voluntary, whether individually or corporately, and in a manner that is not disruptive nor**  
14 **in violation of other policies, rules, or standards, during both school hours and otherwise,**  
15 **and as long as such prayers or expressions abide within the same parameters placed upon**  
16 **any other free speech under similar circumstances; but this section shall not be construed to**  
17 **excuse acts of licentiousness, nor to justify practices inconsistent with the good order, peace or**  
18 **safety of the state, or with the rights of others.**