

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

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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

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**AN ACT**

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 enacted by the General Assembly of the state of Missouri, as follows:*

That at the next general election to be held in the state of Missouri, on Tuesday next  
2 following the first Monday in November, 2008, 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Section A. Section 5, article I, Constitution of Missouri, is repealed and one new section  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 his or her own conscience, neither the state nor any of its political subdivisions**  
8 **shall establish any official religion, nor shall a citizen's right to pray or express his or her**

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.

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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