

Protecting Texan's Religious Liberty (PTRL) pronounced like the word "petrol"

A JOINT RESOLUTION

proposing a constitutional amendment relating to a person's free exercise of religion.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 6, Article I, Texas Constitution, is amended to read as follows:

Sec. 6.

(a) All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship.

(b) The state or a county, municipality, or other political subdivision of the state, including a department, agency, or instrumentality of the state or of a political subdivision of the state, may not burden in any way a person's free exercise of religion unless the burden is:

- (1) necessary to further a compelling governmental interest; and
- (2) the least restrictive means of furthering that interest.

(c) A homeowners' association may not burden in any way a person's free exercise of religion unless the burden is:

- (1) necessary to further a compelling quasi-governmental interest of the homeowners' association; and
- (2) the least restrictive means of furthering that interest.

(d) But it shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 2015. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment relating to a person's free exercise of religion."

Background information:

1. Current Texas Constitution Bill of Rights.

THE TEXAS CONSTITUTION. ARTICLE 1. BILL OF RIGHTS

Sec. 6. FREEDOM OF WORSHIP. All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship. But it shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship.

2. Current law (not in the constitution)

§ 110.003. RELIGIOUS FREEDOM PROTECTED.

(a) Subject to Subsection (b), a government agency may not substantially burden a person's free exercise of religion.

(b) Subsection (a) does not apply if the government agency demonstrates that the application of the burden to the person:

- (1) is in furtherance of a compelling governmental interest; and
- (2) is the least restrictive means of furthering that interest.

(c) A government agency that makes the demonstration required by Subsection (b) is not required to separately prove that the remedy and penalty provisions of the law, ordinance, rule, order, decision, practice, or other exercise of governmental authority that imposes the substantial burden are the least restrictive means to ensure compliance or to punish the failure to comply.

Added by Acts 1999, 76th Leg., ch. 399, § 1, eff. Aug. 30, 1999.