

2023 Regular Session

HOUSE BILL NO. 152

BY REPRESENTATIVE AMEDEE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FAMILY LAW: (Constitutional Amendment) Provides relative to fundamental parental rights

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A JOINT RESOLUTION

Proposing to add Article I, Section 28 of the Constitution of Louisiana, relative to certain fundamental rights; to provide for fundamental parental rights; to provide for a standard of review; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to add Article I, Section 28 of the Constitution of Louisiana, to read as follows:

§28. Parental Rights

Section 28. The freedom of a parent in the nurture, education, care, custody, and control of the parent's child is a fundamental right and shall not be infringed. Any restriction on this right shall be subject to strict scrutiny.

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on October 14, 2023.

Section 3. Be it further resolved that on the official ballot to be used at the election, there shall be printed a proposition, upon which the electors of the state shall be permitted to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

1                    Do you support an amendment to provide that parents have the fundamental  
 2                    right to decide the nurture, education, care, custody, and control of their  
 3                    children? (Adds Article I, Section 28)

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 152 Original

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Amedee

**Abstract:** Adds the fundamental right of parents to decide the nurture, education, care, custody, and control of their children.

Proposed constitutional amendment adds the fundamental right of parents to decide the nurture, education, care, custody, and control of their children.

Proposed constitutional amendment provides that any denial, infringement, or restriction of this right shall be subject to strict scrutiny.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 14, 2023.

(Adds Const. Art. I, §28)