

SENATE BILL NO. 63

BY SENATORS MIZELL, ABRAHAM, ALLAIN, BARROW, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HENRY, HENSGENS, HEWITT, JACKSON, KLEINPETER, LAMBERT, MCMATH, MILLIGAN, ROBERT MILLS, PEACOCK, POPE, REESE, STINE, TARVER, WHITE AND WOMACK AND REPRESENTATIVES AMEDEE, BACALA, BAGLEY, BEAULLIEU, BOYD, BUTLER, CARRIER, COX, CREWS, DAVIS, DESHOTEL, DEVILLIER, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FARNUM, FIRMENT, FISHER, FONTENOT, FRIEMAN, GADBERRY, GAROFALO, GOUDEAU, HARRIS, HODGES, HOLLIS, HORTON, ILLG, IVEY, MIKE JOHNSON, KERNER, KNOX, MACK, MCCORMICK, MCFARLAND, MCKNIGHT, MCMAHEN, MIGUEZ, MINCEY, MOORE, CHARLES OWEN, RISER, ROMERO, SCHAMERHORN, SEABAUGH, SELDERS, ST. BLANC, TARVER, THOMAS, WHEAT, WHITE AND WRIGHT

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

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A JOINT RESOLUTION

Proposing to add Article XII, Section 17 of the Constitution of Louisiana, relative to religious freedom; to provide that the freedom of worship in churches or other places of worship is a fundamental right that is worthy of the highest order of protection; to provide for the highest level of scrutiny by a court; to provide for intent; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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, for their approval or rejection in the manner provided by law, a proposal to add Article XII, Section 17 of the Constitution of Louisiana, to read as follows:

§17. Freedom of worship in churches or other places of worship

Section 17.(A) The freedom to worship in a church or other place of worship is a fundamental right that is worthy of the highest order of protection.

(B) This Section shall not alter or limit Article 1, Section 8 of this constitution in any way. The free exercise of religion guaranteed by Article 1, Section 8 of this constitution shall not be limited to the fundamental right to worship in a church or other place of worship.

1 (C) If a state or local governmental body or official acts in a manner
 2 that is contrary to the provisions of this Section and a challenge is brought
 3 related to that governmental action, the court shall apply strict scrutiny in
 4 order to protect the fundamental right to worship in a church or other place of
 5 worship, unless there is a higher level of protection or scrutiny recognized and
 6 applied by the court.

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

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

13 Do you support an amendment to provide that the freedom of worship in a
 14 church or other place of worship is a fundamental right that is worthy of the
 15 highest order of protection?

16 (Adds Const. Article XII, Section 17)

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES