

By: Krause

H.J.R. No. 125

A JOINT RESOLUTION

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

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

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

6 Sec. 6. (a) All men have a natural and infeasible right
7 to worship Almighty God according to the dictates of their own
8 consciences. No man shall be compelled to attend, erect or support
9 any place of worship, or to maintain any ministry against his
10 consent. No human authority ought, in any case whatever, to control
11 or interfere with the rights of conscience in matters of religion,
12 and no preference shall ever be given by law to any religious
13 society or mode of worship.

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

19 (1) necessary to further a compelling governmental
20 interest; and

21 (2) the least restrictive means of furthering that
22 interest.

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

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

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

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