

By: Burrows

H.J.R. No. 85

A JOINT RESOLUTION

1 proposing a constitutional amendment protecting the fundamental
2 right of parents to raise their children.

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

4 SECTION 1. Article I, Texas Constitution, is amended by
5 adding Section 36 to read as follows:

6 Sec. 36. FUNDAMENTAL RIGHT OF PARENTS TO RAISE CHILDREN.

7 (a) The liberty of a parent to direct the upbringing of the
8 parent's child is a fundamental right. This right includes the
9 right to direct the care, custody, control, education, moral and
10 religious training, and medical care of the child.

11 (b) The state or a political subdivision of this state shall
12 not interfere with the rights of a parent described by subsection
13 (a) unless the interference is:

14 (1) essential to further a compelling governmental
15 interest; and

16 (2) narrowly tailored to accomplish that compelling
17 governmental interest.

18 SECTION 2. This proposed constitutional amendment shall be
19 submitted to the voters at an election to be held November 7, 2023.
20 The ballot shall be printed to permit voting for or against the
21 proposition: "The constitutional amendment establishing the
22 rights of parents to direct the upbringing of their children."