

2024 Regular Session

HOUSE BILL NO. 71

BY REPRESENTATIVES HORTON, AMEDEE, BACALA, BAMBURG, BAYHAM, BILLINGS, BOYER, BUTLER, CARLSON, CARRIER, CARVER, CREWS, DEWITT, DICKERSON, ECHOLS, EDMONSTON, EGAN, FIRMENT, GALLE, KERNER, MACK, MELERINE, OWEN, RISER, SCHAMERHORN, TAYLOR, THOMPSON, VENTRELLA, WILDER, AND WILEY AND SENATORS ABRAHAM, BASS, CATHEY, CLOUD, EDMONDS, FESI, HENRY, HENSGENS, HODGES, MCMATH, MIGUEZ, MIZELL, REESE, SEABAUGH, STINE, TALBOT, WHEAT, AND WOMACK

1 AN ACT

2 To enact R.S. 17:2122 and 3996(B)(82), relative to public elementary, secondary, and
3 postsecondary schools; to provide for the display of certain historical documents; to
4 provide for the display of the Mayflower Compact, the Declaration of Independence,
5 the Northwest Ordinance, and the Ten Commandments; to provide for displays in
6 each classroom; to provide relative to the use of donations or the acceptance of
7 donated displays for this purpose; to provide for applicability; to provide for
8 legislative intent; to provide for historical context; to provide for an effective date;
9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:2122 and 3996(B)(82) are hereby enacted to read as follows:

12 §2122. Historical documents; displays; legislative intent; historical context;
13 donations

14 A. The legislature finds and declares all of the following:

15 (1) In 2005, the Supreme Court of the United States recognized that it is
16 permissible to display the Ten Commandments on government property in *Van*
17 *Orden v. Perry*, 545 U.S. 677, 688 (2005).

18 (2) In 2006, the legislature enacted Act No. 602 of the 2006 Regular Session
19 of the legislature which provided for the secretary of state to publish the Ten
20 Commandments and other historically significant documents for posting in court
21 houses and other public buildings to address "a need to educate and inform the public
22 as to the history and background of American and Louisiana law".

1 (3) In 2019, the Supreme Court of the United States further recognized that
2 the Ten Commandments "have historical significance as one of the foundations of
3 our legal system. . .", in *American Legion v. American Humanists Association*, 588
4 U.S. 29, 53 (2019) and, the court also ruled that the displaying of the Ten
5 Commandments on public property may have "multiple purposes" such as "historical
6 significance" and represent a "common cultural heritage". id, 588 U.S. at 54.

7 (4) Recognizing the historical role of the Ten Commandments accords with
8 our nation's history and faithfully reflects the understanding of the founders of our
9 nation with respect to the necessity of civic morality to a functional self-government.
10 History records that James Madison, the fourth President of the United States of
11 America, stated that "(w)e have staked the whole future of our new nation . . . upon
12 the capacity of each of ourselves to govern ourselves according to the moral
13 principles of the Ten Commandments."

14 (5) Including the Ten Commandments in the education of our children is part
15 of our state and national history, culture, and tradition.

16 (6) The text of the Ten Commandments set forth in Subsection B of this
17 Section is identical to the text of the Ten Commandments monument that was upheld
18 by the Supreme Court of the United States in *Van Orden v. Perry*, 545 U.S. 677, 688
19 (2005).

20 (7) The Mayflower Compact of 1620 was America's first written constitution
21 and made a Covenant with Almighty God to "form a civil body politic". This was
22 the first purely American document of self-government and affirmed the link
23 between civil society and God.

24 (8) The Northwest Ordinance of 1787 provided a method of admitting new
25 states to the Union from the territory as the country expanded to the Pacific. The
26 Ordinance "extended the fundamental principles of civil and religious liberty" to the
27 territories and stated that "(r)eligion, morality, and knowledge, being necessary to
28 good government and the happiness of mankind, schools and the means of education
29 shall forever be encouraged."

30 (9) It is the Legislature's intent to apply the decision set forth by the
31 Supreme Court of the United States in *Van Orden v. Perry*, id, to continue the rich

1 tradition and ensure that the students in our public schools may understand and
 2 appreciate the foundational documents of our state and national government.

3 (10) The Supreme Court of the United States acknowledged that the Ten
 4 Commandments may be displayed on local government property when a private
 5 donation is made for the purchase of the historical monument. *Pleasant Grove City,*
 6 *Utah v. Summan*, 555 U.S. 460 (2006).

7 (11) It is the intention of the legislature that this Section shall not create an
 8 unfunded mandate on any public school governing authority. The school boards are
 9 encouraged to use documents that are printed and made available to the schools free
 10 of charge.

11 B.(1) No later than January 1, 2025, each public school governing authority
 12 shall display the Ten Commandments in each classroom in each school under its
 13 jurisdiction. The nature of the display shall be determined by each governing
 14 authority with a minimum requirement that the Ten Commandments shall be
 15 displayed on a poster or framed document that is at least eleven inches by fourteen
 16 inches. The text of the Ten Commandments shall be the central focus of the poster
 17 or framed document and shall be printed in a large, easily readable font.

18 (2) The text shall read as follows:

19 "The Ten Commandments

20 I AM the LORD thy God.

21 Thou shalt have no other gods before me.

22 Thou shalt not make to thyself any graven images.

23 Thou shalt not take the Name of the Lord thy God in vain.

24 Remember the Sabbath day, to keep it holy.

25 Honor thy father and thy mother, that thy days may be long upon the land which the Lord
 26 thy God giveth thee.

27 Thou shalt not kill.

28 Thou shalt not commit adultery.

29 Thou shalt not steal.

30 Thou shalt not bear false witness against thy neighbor.

31 Thou shalt not covet thy neighbor's house.

1 Thou shalt not covet thy neighbor's wife, nor his manservant, nor his maidservant, nor his
 2 cattle, nor anything that is thy neighbor's."

3 (3) The Ten Commandments shall be displayed with a context statement as
 4 follows:

5 "The History of the Ten Commandments in American Public Education
 6 The Ten Commandments were a prominent part of American public
 7 education for almost three centuries. Around the year 1688, *The New England*
 8 *Primer* became the first published American textbook and was the equivalent of a
 9 first grade reader. *The New England Primer* was used in public schools throughout
 10 the United States for more than one hundred fifty years to teach Americans to read
 11 and contained more than forty questions about the Ten Commandments.

12 The Ten Commandments were also included in public school textbooks
 13 published by educator William McGuffey, a noted university president and
 14 professor. A version of his famous *McGuffey Readers* was written in the early 1800s
 15 and became one of the most popular textbooks in the history of American education,
 16 selling more than one hundred million copies. Copies of the *McGuffey Readers* are
 17 still available today.

18 The Ten Commandments also appeared in textbooks published by Noah
 19 Webster in which were widely used in American public schools along with
 20 America's first comprehensive dictionary that Webster also published. His textbook,
 21 *The American Spelling Book*, contained the Ten Commandments and sold more than
 22 one hundred million copies for use by public school children all across the nation and
 23 was still available for use in American public schools in the year 1975."

24 (4)(a) A public school may also display the Mayflower Compact, the
 25 Declaration of Independence, and the Northwest Ordinance, as provided in R.S.
 26 25:1282, along with the Ten Commandments.

27 (5) This Section shall not require a public school governing authority to
 28 spend its funds to purchase displays. In order to fund the displays free of charge, the
 29 school public governing authority shall do either of the following:

30 (a) Accept donated funds to purchase the displays.

31 (b) Accept donated displays.

1 Section 2. If any provision or item of this Act, or the application thereof, is held
 2 invalid, such invalidity shall not affect other provisions, items, or applications of the Act
 3 which can be given effect without the invalid provision, item, or application and to this end
 4 the provisions of this Act are hereby declared severable.

5 Section 3. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____