

Oklahoma Intercollegiate Legislature
2nd Session of the 56th Legislature (2025)

Senate Joint Resolution No. ORU-101

Humphrey (ORU)

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection of a proposed amendment to Article II, Section 5 of the Constitution of the State of Oklahoma; allowing exceptions for the uses of public money by religious entities for the public good; providing ballot title; and directing filing.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 56TH OKLAHOMA INTERCOLLEGIATE LEGISLATURE:

Section 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article II, Section 5 of the Constitution of the State of Oklahoma to read as follows:

SECTION II-5. Public money or property - Use for sectarian purposes.

No public money or property shall ever be appropriated, applied, donated, or used, ~~directly or indirectly~~ for the direct use, benefit, or support of any sect, church, denomination, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary, or sectarian institution as such, allowing for good faith exceptions in cases in which public money or property is to be used to serve public goods, such as education, health, and human services, by religious entities in a way that does not impose an entity's particular religious doctrine on the public. All public support provided must comply with the Establishment Clause of the United States Constitution and shall not be construed to endorse or favor one religion to the exclusion of another.

Section 2. The Ballot Title for the proposed Constitutional amendment as set forth in Section 1 of the resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____

State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Article II, Section 5 of the Constitution of the State of Oklahoma. It would allow for exceptions to the law against public money for sectarian purposes in cases where religious entities may benefit Oklahoman public goods, including education, health, and human services, with public support, provided they do not abuse the privilege to impose religious doctrine on the public. This measure seeks to uphold the Establishment Clause of the United States Constitution and keep the State of Oklahoma from endorsing a religion or becoming too involved with religion while acknowledging the good that a religion or a religious group can do. The amendment proposed would curb the negative implications of Article II, Section 5 and rectify the historic injustice and systemic Anti-Catholic bias in which the existing “Blaine Amendment” is rooted.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

_____ YES, FOR THE AMENDMENT

_____ NO, AGAINST THE AMENDMENT

Section 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in Section 2 hereof, with the Secretary of State and one copy with the Attorney General.