

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 BASS AND HODGES

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3 postsecondary schools; to provide for the display of certain historical documents; to  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 Historical documents; displays; legislative intent; historical context;  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."

1           (9) It is the Legislature's intent to apply the decision set forth by the  
 2           Supreme Court of the United States in *Van Orden v. Perry*, id, to continue the rich  
 3           tradition and ensure that the students in our public schools may understand and  
 4           appreciate the foundational documents of our state and national government.

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

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

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

20          (2) The text shall read as follows:

21                           "The Ten Commandments

22                                   I AM the LORD thy God.

23                                   Thou shalt have no other gods before me.

24                                   Thou shalt not make to thyself any graven images.

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

26                                   Remember the Sabbath day, to keep it holy.

27          Honor thy father and thy mother, that thy days may be long upon the land which the Lord

28                                   thy God giveth thee.

29                                   Thou shalt not kill.

30                                   Thou shalt not commit adultery.

1 Thou shalt not steal.

2 Thou shalt not bear false witness against thy neighbor.

3 Thou shalt not covet thy neighbor's house.

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

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

8 "The History of the Ten Commandments in American Public Education

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

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

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

27 (4)(a) A public school may also display the Mayflower Compact, the  
28 Declaration of Independence, and the Northwest Ordinance, as provided in R.S.  
29 25:1282, along with the Ten Commandments.

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

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

5                   (b) Accept donated displays.

6           (6)(a) The State Board of Elementary and Secondary Education shall adopt  
7           rules and regulations in accordance with the Administrative Procedure Act to ensure  
8           the proper implementation of this Section.

9                   (b) The state Department of Education shall identify appropriate resources  
10           to comply with the provisions of this Section that are free of charge. Once identified,  
11           the department shall list the free resources on the department's internet website.

12                   C.(1) No later than January 1, 2025, each public postsecondary education  
13           management board shall require each institution under its jurisdiction to display the  
14           Ten Commandments in each classroom on the institution's campus. At a minimum,  
15           the Ten Commandments shall be displayed on a poster or framed document that is  
16           at least eleven inches by fourteen inches. The text of the Ten Commandments shall  
17           be the central focus of the poster or framed document and shall be printed in a large,  
18           easily readable font.

19                   (2) The text shall read as provided in Paragraph (A)(2) of this Section.

20                   (3) This Subsection does not require a public postsecondary education  
21           management board or any public postsecondary education institution to spend its  
22           funds to purchase such displays. An institution or management board or governing  
23           authority may spend donated funds to purchase the Ten Commandments or other  
24           historical documents provided for in this Section or may accept donated displays.

25   \*           \*           \*

26           §3996. Charter schools; exemptions; requirements

27   \*           \*           \*

28                   B. Notwithstanding any state law, rule, or regulation to the contrary and  
29           except as may be otherwise specifically provided for in an approved charter, a  
30           charter school established and operated in accordance with the provisions of this

1 Chapter and its approved charter and the school's officers and employees shall be  
2 exempt from all statutory mandates or other statutory requirements that are  
3 applicable to public schools and to public school officers and employees except for  
4 the following laws otherwise applicable to public schools with the same grades:

5 \* \* \*

6 (82) Ten Commandments; displays, R.S. 17:2122.

7 \* \* \*

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

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

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_