

By Senator Grant

13-109-99

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Senate Joint Resolution No. ____

A joint resolution proposing an amendment to
Section 3 of Article I of the State
Constitution relating to religious freedom.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 3 of Article I
of the State Constitution is agreed to and shall be submitted
to the electors of this state for approval or rejection at the
next general election or at an earlier special election
specifically authorized by law for that purpose:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 3. Religious freedom.--There shall be no law
respecting the establishment of religion or prohibiting or
penalizing the free exercise thereof. The state or any
political subdivision or agency thereof shall not
substantially burden the free exercise of religion of any
person, even if the burden results from a rule of general
applicability. The state or any political subdivision or
agency thereof may substantially burden a person's free
exercise of religion only if the state or political
subdivision or agency thereof demonstrates that application of
the burden to the person is in furtherance of a compelling
interest of the state or a political subdivision or agency
thereof and is the least restrictive means of furthering that
compelling interest. The state or any political subdivision or
agency thereof shall not substantially burden the free
exercise of religion of any person incarcerated within any
correctional facility in the state, even if the burden results

1 from a rule of general applicability. The state or any
2 political subdivision or agency thereof may substantially
3 burden the free exercise of religion of any person
4 incarcerated within any correctional facility in the state
5 only if the burden is in furtherance of a substantial
6 penological interest and is the least restrictive means of
7 furthering that substantial penological interest. Religious
8 freedom shall not justify practices inconsistent with public
9 morals, peace or safety. No revenue of the state or any
10 political subdivision or agency thereof shall ever be taken
11 from the public treasury directly or indirectly in aid of any
12 church, sect, or religious denomination or in aid of any
13 sectarian institution.

14 BE IT FURTHER RESOLVED that the following statement be
15 placed on the ballot:

16 CONSTITUTIONAL AMENDMENT

17 PROHIBITING STATE FROM SUBSTANTIALLY BURDENING THE FREE
18 EXERCISE OF RELIGION.--Proposing an amendment to the State
19 Constitution to prohibit the state from substantially
20 burdening the free exercise of religion of any person, except
21 upon demonstration that the burden is in furtherance of a
22 compelling interest or substantial penological interest and is
23 the least-restrictive means of furthering that interest.

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