

The House Committee on Human Relations and Aging offers the following substitute to HR 567:

#### A RESOLUTION

1 Proposing an amendment to the Constitution, in a manner consistent with the United States  
2 Constitution, so as to prevent discrimination in the public funding of social services by  
3 allowing religious or faith based organizations to receive public aid, directly or indirectly,  
4 for the provision of such services; to provide for the submission of this amendment for  
5 ratification or rejection; and for other purposes.

6 WHEREAS, freedom of worship is very important to the citizens of Georgia; and

7 WHEREAS, the public policy of the State of Georgia is to prevent discrimination and  
8 advance principles of nondiscrimination; and

9 WHEREAS, Georgia's Blaine Amendment, Article I, Section II, Paragraph VII of the  
10 Constitution of Georgia, was inspired by anti-Catholic bigotry and a desire to stifle the  
11 growth of the Catholic community in this state; and

12 WHEREAS, Georgia's Blaine Amendment has, in the past, been used to bar state aid on the  
13 basis of the intended recipient's religious identity rather than the recipient's words and  
14 actions; and

15 WHEREAS, Georgia's Blaine Amendment currently stands as a legal and practical obstacle  
16 for religious believers of all stripes to obtain state funds on an equal basis with other citizens  
17 consistent with the United States Constitution; and

18 WHEREAS, it is necessary to amend the Constitution to ensure that Georgia's religious  
19 community will not again be discriminated against as a result of religious identity.

20 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
21 GEORGIA:

22 **SECTION 1.**

23 Article I, Section II of the Constitution is amended by revising Paragraph VII as follows:

24 "Paragraph VII. *Separation of church and state.* ~~No money shall ever be taken from the~~  
 25 ~~public treasury, directly or indirectly, in aid of any church, sect, cult, or religious~~  
 26 ~~denomination or of any sectarian institution~~ Except as required by the First Amendment  
 27 of the United States Constitution, no individual or entity shall be discriminated against or  
 28 banned from receiving public funding on the basis of religious identity or belief."

29 **SECTION 2.**

30 The above proposed amendment to the Constitution shall be published and submitted as  
 31 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
 32 above proposed amendment shall have written or printed thereon the following:

33 "( ) YES Shall the Constitution of Georgia be amended in a manner consistent with  
 34 ( ) NO the United States Constitution so as to prevent discrimination in the public  
 35 funding of social services by allowing religious or faith based organizations  
 36 to receive public aid for the provision of such services on the same terms as  
 37 other citizens of this state, subject to the First Amendment of the United  
 38 States Constitution?"

39 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

40 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
 41 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
 42 become a part of the Constitution of this state.