

By: Representatives Brown (20th), Formby

To: Rules

HOUSE CONCURRENT RESOLUTION NO. 90

1 A CONCURRENT RESOLUTION RECOGNIZING PARENTAL RIGHTS.

2 WHEREAS, the State of Mississippi recognizes that the right  
3 of parents to direct the upbringing and education of their  
4 children is a fundamental right, and historically, our nation has  
5 relied first and foremost upon parents to meet the real and  
6 constant needs of children; and

7 WHEREAS, the interests of children are best served when  
8 parents are free to make child-rearing decisions about education,  
9 religion and other aspects of a child's life without government  
10 interference; and

11 WHEREAS, the United States Supreme Court, in the case of  
12 *Wisconsin v. Yoder*, 406 U.S. 205 (1972), held that "This primary  
13 role of the parents in the upbringing of their children is now  
14 established beyond debate as an enduring American tradition"; and

15 WHEREAS, however, in the case of *Troxel v. Granville*, 530  
16 U.S. 57 (2000), six (6) justices of the United States Supreme  
17 Court filed opinions on the nature and enforceability of parental



18 rights under the Constitution of the United States, and the number  
19 of written opinions in the *Troxel v. Granville* case has created  
20 confusion and ambiguity about the fundamental nature of parental  
21 rights in the laws and society of the several states; and

22 WHEREAS, the State of Mississippi seeks to prevent erosion of  
23 the enduring American tradition of treating parental rights as  
24 fundamental rights; and

25 WHEREAS, it is the opinion of this Legislature that we should  
26 preserve these parental rights from being infringed upon by  
27 shifting ideologies and interpretations of the United States  
28 Supreme Court:

29 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
30 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING  
31 THEREIN, That the State of Mississippi recognizes that the liberty  
32 of parents to direct the upbringing, education and care of their  
33 children, which encompasses all forms of care including healthcare  
34 and whether parents choose to vaccinate their children, is a  
35 fundamental right.

36 BE IT FURTHER RESOLVED, That a copy of this resolution shall  
37 be transmitted to each member of the delegation of the State of  
38 Mississippi in the Congress of the United States and to members of  
39 the Capital Press Corps.

