

By: Representative Criswell

To: Rules; Constitution

HOUSE CONCURRENT RESOLUTION NO. 49

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE
2 MISSISSIPPI CONSTITUTION OF 1890, BY CREATING A NEW SECTION 32A TO
3 PROVIDE THAT PARENTS HAVE A FUNDAMENTAL RIGHT TO DIRECT THE
4 UPBRINGING, EDUCATION AND CARE OF THEIR CHILDREN; AND FOR RELATED
5 PURPOSES.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
7 MISSISSIPPI, That the following amendment to the Mississippi
8 Constitution of 1890 is proposed to the qualified electors of the
9 state:

10 Amend Article 3, Mississippi Constitution of 1890, by adding
11 a new Section 32A, to read as follows:

12 "Section 32A. The liberty of parents to direct the
13 upbringing, education and care of their children is a fundamental
14 right. Neither the State of Mississippi nor any political
15 subdivision or agency thereof shall infringe upon this right
16 without demonstrating that such infringement is (a) in furtherance
17 of a compelling governmental interest, and (b) is the least
18 restrictive means of furthering that compelling governmental
19 interest."



20 BE IT FURTHER RESOLVED, That this proposed amendment shall be
21 submitted by the Secretary of State to the qualified electors at
22 an election to be held on the first Tuesday after the first Monday
23 of November 2016, as provided by Section 273 and by general law.

24 BE IT FURTHER RESOLVED, That the explanation of this proposed
25 amendment for the ballot shall read as follows: "This proposed
26 amendment provides that parents have a fundamental right to direct
27 the upbringing, education and care of their children, and the
28 state shall not infringe on that right without first demonstrating
29 that such infringement is in furtherance of a compelling
30 governmental interest and is the least restrictive means of
31 furthering that interest."

