

By: Representative Moore

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 2

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; TO PROVIDE THAT
5 PARENTAL RIGHTS INCLUDE THE RIGHT TO CHOOSE ALTERNATIVES TO PUBLIC
6 SCHOOLS; TO PROVIDE THAT THE STATE SHALL NOT INFRINGE ON A
7 PARENT'S FUNDAMENTAL RIGHTS WITHOUT DEMONSTRATING A GOVERNMENTAL
8 INTEREST OF THE HIGHEST ORDER; AND FOR RELATED PURPOSES.

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

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

15 "Section 32A. (1) The liberty of parents to direct the
16 upbringing, education and care of their children is a fundamental
17 right.

18 (2) The parental right to direct education includes the
19 right to choose, as an alternative to public education, private,
20 religious or home schools, and the right to make reasonable
21 choices within public schools for one's child.



22 (3) The State of Mississippi shall not infringe on the
23 enumerated rights set forth in this section without demonstrating
24 that its governmental interest as applied to the person is of the
25 highest order and not otherwise served.

26 (4) The parental rights guaranteed by this section shall not
27 be denied or abridged on account of disability.

28 (5) This section shall not be construed to apply to a
29 parental action or decision that would end life."

30 BE IT FURTHER RESOLVED, That this proposed amendment shall be
31 submitted by the Secretary of State to the qualified electors at
32 an election to be held on the first Tuesday after the first Monday
33 of November 2018, as provided by Section 273 and by general law.

34 BE IT FURTHER RESOLVED, That the explanation of this proposed
35 amendment for the ballot shall read as follows: "This proposed
36 amendment provides that the right of parents to direct the
37 upbringing, education and care of their children is a fundamental
38 right, and the state shall not infringe on those rights without
39 demonstrating a governmental interest of the highest order.
40 Parental rights include the right to choose alternatives to public
41 school. A parent's right shall not be abridged on account of
42 disability, and does not apply to a decision that would end life."

