

1 SB127
2 214229-2
3 By Senators Allen, Waggoner, Stutts, Butler, Sessions,
4 Livingston, Elliott, Marsh, Williams, Jones, Beasley, Barfoot,
5 Weaver, Scofield, Price, Albritton, McClendon, Shelnuttt, Orr,
6 Gudger, Whatley, Roberts, Chesteen, Melson and Chambliss
7 (Constitutional Amendment)
8 RFD: Education Policy
9 First Read: 01-FEB-22

SYNOPSIS: This bill would propose an amendment to the Constitution of Alabama of 1901, to require local boards of education to adopt policies requiring each K-12 public school to broadcast or sanction the performance of the first stanza of The Star-Spangled Banner at the commencement of each school-sanctioned sporting event and at least once per week at each public school during school hours.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama of 1901, to require local boards of education to adopt policies requiring each K-12 public school to broadcast or sanction the performance of The Star-Spangled Banner during certain school activities.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The Legislature finds and declares the
2 following:

3 (1) During the Battle of Baltimore of the War of
4 1812, Francis Scott Key visited the British fleet in the
5 Chesapeake Bay on September 7, 1814, to secure the release of
6 Dr. William Beanes, who had been captured after the British
7 burned Washington, D.C.

8 (2) The release of Dr. Beanes was secured, but Key
9 and Beanes were held by the British during the shelling of
10 Fort McHenry, one of the forts defending Baltimore.

11 (3) On the morning of September 14, 1814, after the
12 25-hour British bombardment of Fort McHenry, Key peered
13 through the clearing smoke to see a 42-foot by 30-foot
14 American flag flying proudly atop the Fort.

15 (4) He was so inspired to see the enormous flag
16 still flying over the Fort that he began penning a song, which
17 he named The Defence of Fort McHenry, to commemorate the
18 occasion, and he included a note that it should be sung to the
19 tune of the popular British melody To Anacreon in Heaven.

20 (5) In 1916, President Woodrow Wilson ordered that
21 the anthem, which had been popularly renamed The Star-Spangled
22 Banner, be played at military and naval occasions.

23 (6) On March 3, 1931, President Herbert Hoover
24 signed a resolution of Congress that officially designated
25 The Star-Spangled Banner as the National Anthem of the United
26 States.

1 (7) For over 100 years, The Star-Spangled Banner has
2 served to inspire generations of patriotic Americans, and it
3 is imperative that students have exposure to this history and
4 inspiration.

5 Section 2. The following amendment to the
6 Constitution of Alabama of 1901, as amended, is proposed and
7 shall become valid as a part thereof when approved by a
8 majority of the qualified electors voting thereon and in
9 accordance with Sections 284, 285, and 287 of the Constitution
10 of Alabama of 1901, as amended:

11 PROPOSED AMENDMENT

12 (a) Each local board of education shall adopt a
13 policy requiring each public K-12 school under its
14 jurisdiction to broadcast The Star-Spangled Banner as follows:

15 (1) At the commencement of each school-sanctioned
16 sporting event, except that if any part of two or more
17 school-sanctioned sporting events occur on the same day at the
18 same school, a school may choose to broadcast the first stanza
19 of The Star-Spangled Banner at only one of the events.

20 (2) During school hours, at least once per week.

21 (b) (1) A local board of education shall select for
22 broadcast, pursuant to subsection (a), any recording of the
23 first stanza of The Star-Spangled Banner that is archived
24 within the Library of Congress and available on the Library of
25 Congress website.

26 (2) A local board of education, alternatively, may
27 adopt a policy allowing for any of the following at

1 school-sanctioned sporting events or during school hours, or
2 both:

3 a. The performance of the first stanza of The
4 Star-Spangled Banner from original sheet music, archived
5 within the Library of Congress and available on its website,
6 by a school-sanctioned band program, chorale program, vocal
7 group, or vocalist.

8 b. The performance of the first stanza of The
9 Star-Spangled Banner by the body of attendees of the event, to
10 be led by a vocalist selected by the principal of the school
11 hosting the event.

12 Upon ratification of this constitutional amendment
13 and contingent upon the ratification of the Constitution of
14 Alabama of 2022, the Code Commissioner shall number and place
15 this amendment as appropriate in the constitution based upon a
16 logical sequence and the particular subject or topic of the
17 amendment. In this amendment, the Code Commissioner may change
18 capitalization, spelling, and punctuation for the purpose of
19 style and uniformity; correct manifest grammatical, clerical,
20 and typographical errors; and correct incorrect
21 cross-references. When publishing the Constitution of Alabama
22 of 2022, as amended, the Code Commissioner may omit this
23 instructional paragraph.

24 Section 3. An election upon the proposed amendment
25 shall be held in accordance with Sections 284 and 285 of the
26 Constitution of Alabama of 1901, now appearing as Sections 284
27 and 285 of the Official ReCompilation of the Constitution of

1 Alabama of 1901, as amended, and the election laws of this
2 state.

3 Section 4. The appropriate election official shall
4 assign a ballot number for the proposed constitutional
5 amendment on the election ballot and shall set forth the
6 following description of the substance or subject matter of
7 the proposed constitutional amendment:

8 "Proposing an amendment to the Constitution of
9 Alabama of 1901, as amended; to require local boards of
10 education to adopt policies requiring each K-12 public school
11 to broadcast or sanction the performance of the first stanza
12 of The Star-Spangled Banner at the commencement of each
13 school-sanctioned sporting event and at least once per week at
14 each public school during school hours."

15 "Proposed by Act _____."

16 This description shall be followed by the following
17 language:

18 "Yes () No ()."