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SYNOPSIS:

Existing statutory law provides that parents have the fundamental right to direct the education, upbringing, care, and control of their child.

Existing statutory law also clarifies that this fundamental right applies in disputes between parents and the government or third parties and that this fundamental right does not authorize child abuse or neglect.

This bill would propose an amendment to the Constitution of Alabama of 2022, to provide that parents have a fundamental right to direct the upbringing, education, care, and control of their children.

A BILL  
TO BE ENTITLED  
AN ACT

Proposing an amendment to the Constitution of Alabama of 2022, to provide that parents have a fundamental right to direct the upbringing, education, care, and control of their children.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



29           Section 1. The following amendment to the Constitution  
30 of Alabama of 2022, is proposed and shall become valid as a  
31 part of the constitution when all requirements of this act and  
32 applicable constitutional provisions are fulfilled:

33

34                           PROPOSED AMENDMENT

35           Parents have a fundamental right to direct the  
36 upbringing, education, care, and control of their children.

37           Upon ratification of this constitutional amendment, the  
38 Code Commissioner shall number and place this amendment as  
39 appropriate in the constitution omitting this instructional  
40 paragraph and may make the following nonsubstantive revisions:  
41 change capitalization, hierarchy, spelling, and punctuation  
42 for purposes of style and uniformity; correct manifest  
43 grammatical, clerical, and typographical errors; revise  
44 internal or external citations and cross-references; and  
45 translate effective dates.

46           Section 2. An election upon the proposed amendment  
47 shall be held in accordance with Sections 284 and 285 of the  
48 Constitution of Alabama of 2022, and the election laws of this  
49 state.

50           Section 3. The appropriate election official shall  
51 assign a ballot number for the proposed constitutional  
52 amendment on the election ballot and shall set forth the  
53 following description of the substance or subject matter of  
54 the proposed constitutional amendment:

55           "Proposing an amendment to the Constitution of Alabama  
56 of 2022, to provide that parents have a fundamental right to



57 direct the upbringing, education, care, and control of their  
58 children.

59 Proposed by Act \_\_\_\_."

60 This description shall be followed by the following  
61 language:

62 "Yes( ) No( )."