

## HB216 INTRODUCED



1      HB216  
2      U93NIDG-1  
3      By Representatives Gidley, Butler, Harrison, Starnes, Rehm,  
4      Lamb, Standridge, Carns, Stadthagen, Yarbrough, Sellers,  
5      Paschal, DuBose, Kiel, Barnes  
6      RFD: Education Policy  
7      First Read: 14-Jan-26



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## 5 SYNOPSIS:

15                   This bill would require the State Department of  
16                   Education to identify and publicize free resources that  
17                   local boards of education may use to comply with the  
18                   display requirement.

22

23 A BILL  
24 TO BE ENTITLED  
25 AN ACT

27 Relating to public schools; to provide legislative  
28 findings; to require certain local boards of education to

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29 display the Ten Commandments and certain other documents  
30 related to the formation of this nation, subject to the  
31 availability of donations; to provide for the use of donations  
32 to comply with the display requirement; and to authorize the  
33 State Board of Education to adopt rules.

34 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

35         Section 1. The Legislature finds and declares all of  
36 the following:

37             (1) The Ten Commandments are a key part of the  
38 Judeo-Christian religious and moral tradition that shaped  
39 Western Civilization and ultimately the founding of the United  
40 States. In particular, because they include what John Quincy  
41 Adams described as both "civil and municipal" provisions as  
42 well as "moral and religious" provisions, the Ten Commandments  
43 have historical significance as one of the foundations of our  
44 legal system. Teaching students about the Ten Commandments  
45 promotes historical understanding and helps to foster a common  
46 cultural heritage and awareness.

47             (2) Documents created to shape civil society during the  
48 founding era of this nation include direct and indirect  
49 references to God and religion. These documents include the  
50 following:

51                 a. The Mayflower Compact of 1620, America's first  
52 written constitution, was a covenant made among the pilgrims  
53 with "Almighty God" to "form a civil body politic." The  
54 Mayflower Compact was the first purely American document of  
55 self-government and affirmed the link between civil society  
56 and God.

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57                   b. The Declaration of Independence (1776) described all  
58 men as being "created equal" and "endowed by their Creator  
59 with certain unalienable Rights."

60                   c. The United States Constitution (1787) stated in its  
61 preamble that one of its purposes was to secure "the Blessings  
62 of Liberty to ourselves and our Posterity" and closed with a  
63 reference to the date of execution as the Seventeenth Day of  
64 September in the Year of our Lord one thousand seven hundred  
65 and eighty-seven.

66                   d. The Northwest Ordinance of 1787 provided a method of  
67 admitting new states to the Union from territories as the  
68 country expanded westward. The Northwest Ordinance "extended  
69 the fundamental principles of civil and religious liberty" to  
70 the territories and stated that "[r]eligion, morality, and  
71 knowledge, being necessary to good government and the  
72 happiness of mankind, schools and the means of education shall  
73 forever be encouraged."

74                   (3) References to God and religion in public documents  
75 and other public contexts did not end at the founding but  
76 rather have occurred throughout our nation's history without  
77 any serious claim that such references violate the  
78 Establishment Clause. Examples include displays associated  
79 with the Ten Commandments in the Supreme Court of the United  
80 States, the Library of Congress, the Ronald Reagan  
81 International Trade Building, and the National Archives.  
82 Public references to God have occurred repeatedly over the  
83 nation's history. No outcry followed Abraham Lincoln's  
84 reference to God in his Gettysburg Address in 1863. Our

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85 coinage has born the phrase, "IN GOD WE TRUST," since 1865.  
86 Prayers have opened our legislative sessions for hundreds of  
87 years. In 1932, Congress adopted our National Anthem and  
88 included in the last verse, "In God is our trust." In 1952,  
89 Congress proclaimed a "National Day of Prayer." In 1954,  
90 Congress added "under God" to the Pledge of Allegiance. The  
91 display of the Ten Commandments as provided in this act, with  
92 an appropriate context statement and integrated with the  
93 approved public school social studies curriculum, is  
94 consistent with these historical practices and understandings  
95 and, at a minimum, furthers the same interests as the  
96 interests served by these historical practices and  
97 understandings.

98 (4) The 2024 social studies curriculum approved by the  
99 Alabama State Board of Education (Alabama Course of Study:  
100 Social Studies) provides: "Social studies education in Alabama  
101 aims to prepare students to become knowledgeable, engaged, and  
102 responsible citizens in society. Social studies reflects the  
103 achievements, struggles, interactions, and endeavors that have  
104 characterized human society as it has changed over time and  
105 place to shape the world today. The disciplines of social  
106 studies include, but are not limited to: Anthropology,  
107 Archaeology, Civics, Economics, Geography, Government,  
108 History, Philosophy, Psychology, Religion, and Sociology."  
109 Display of the Ten Commandments with an appropriate context  
110 statement is essential to the fulfillment of the mandate of  
111 the State Board of Education in the education of students in  
112 the areas of Civics, Government, History, Philosophy,



113 Religion, and Sociology.

114 (5) Two generations of Alabama students have attended  
115 public schools in an era governed by the now-abandoned test  
116 articulated in *Lemon v. Kurtzman*, 403 U.S. 602 (1971), for  
117 compliance with the Establishment Clause of the United States  
118 Constitution. Assuring restoration to the classroom of  
119 historical truths surrounding the founding of our nation,  
120 including those truths that "partake of the religious,"  
121 *Kennedy v. Bremerton*, 597 U.S. 507, 535 (2022), is vital to  
122 remedying the legal error of *Lemon v. Kurtzman* and to securing  
123 a complete education of our students.

124 (6) Due to reliance on misinterpretations about the  
125 meaning of the Establishment Clause or due to their own  
126 personal policy preferences, a significant number of Alabama  
127 teachers are unlikely to expose public school students to  
128 these historical truths if left with any discretion about how  
129 or whether to present these truths. Posting these historical  
130 truths in classrooms and school common areas is thus an  
131 essential means of accomplishing the state's educational  
132 objectives in teaching students about the historical and  
133 cultural significance of the Ten Commandments on the  
134 development of the United States, as is apparent from  
135 accompanying founding-era documents.

136 (7) Including in the posting a reference to the state's  
137 establishment clause and a recognition that "personal choice  
138 about matters of faith are left to students and their  
139 families" will further the state's interests in avoiding the  
140 establishment or religion or interfering with the free



141 exercise of religion. Such disclaimers will also serve the  
142 state's educational objectives because they will make it more  
143 likely that classroom teachers will become comfortable  
144 discussing the historical truths that are included in the  
145 poster.

146 (8) This act does not create an unfunded mandate on any  
147 public school governing authority. Local boards of education  
148 are encouraged to use documents that are printed and made  
149 available to the schools free of charge.

150 Section 2. (a) Beginning January 1, 2027, and subject  
151 to the availability of donated funds or donated displays  
152 pursuant to subsection (c) as determined by the State  
153 Superintendent of Education, each local board of education  
154 shall display a poster or framed document that meets the  
155 requirements of subsection (b) in each of the following  
156 locations:

157 (1) Every fifth through twelfth grade classroom where  
158 United States history is routinely taught according to the  
159 Alabama Course of Study.

160 (2) An entry way or other common area, such as the  
161 cafeteria or school library, in every school within the  
162 jurisdiction of the local board of education, except that this  
163 subdivision shall not apply to any school that serves students  
164 in kindergarten through fourth grade.

165 (b) The poster or framed document required by  
166 subsection (a) shall meet each of the following requirements:

167 (1) The poster or framed document shall be at least 11  
168 inches by 14 inches in size.



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169 (2) The layout and design of the poster or framed  
170 document shall be approved by the State Superintendent of  
171 Education.

172 (3) The poster or framed document shall contain the  
173 following content:

174                   Historical Truths: The Ten Commandments and America's  
175                   Founding Documents

176 The Ten Commandments are a key part of the  
177 Judeo-Christian religious and moral tradition that shaped  
178 Western Civilization and ultimately the founding of the United  
179 States. There are many versions of the Ten Commandments. The  
180 one that follows is a common translation but not the only  
181 translation.

182 You shall not have other gods before me

## 183 You shall not make idols

184                    You shall not take the name of the Lord your God in  
185        vain

186 Remember the Sabbath day, to keep it holy

187 Honor your father and your mother

188 You shall not murder

189 You shall not commit adultery

190 You shall not steal

191 You shall not bear false witness against your neighbor

192 You shall not covet

193 In 1813, future U.S. President John Quincy Adams wrote

194 in a letter to his son that, "The Law given from Sinai" - in  
195 other words, the Ten Commandments - "was a civil and municipal  
196 as well as a moral and religious Code." He noted that many of

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197 its provisions "were of universal applications - Laws  
198 essential to the existence of men in Society, and most of  
199 which have been enacted by every Nation which ever possessed  
200 any Code of Law."

201 The Alabama Constitution provides that "no religion  
202 shall be established by law," and the State of Alabama  
203 specifically respects the rights of its public school students  
204 to be free from state-established religion. Recognizing that  
205 personal choice about matters of faith are left to students  
206 and their families, the purpose of this poster is simply to  
207 acknowledge the historical role of the Ten Commandments, and  
208 the broader Judeo-Christian tradition, in shaping American  
209 civil society.

210 The Mayflower Compact of 1620, America's first written  
211 constitution, contained a "covenant with 'Almighty God'" by  
212 pilgrims to America to "form a civil body politic."

213 The Northwest Ordinance of 1787 "extended the  
214 fundamental principles of civil and religious liberty" to the  
215 western territories becoming states and provided that  
216 "[r]eligion, morality, and knowledge, being necessary to good  
217 government and the happiness of mankind, schools and the means  
218 of education shall forever be encouraged."

219 The Declaration of Independence (1776) described all  
220 men as being "created equal" and acknowledged that they are  
221 "endowed by their Creator with certain unalienable Rights."

222 The United States Constitution (1787) in its preamble  
223 stated one of its purposes to be securing "the Blessings of  
224 Liberty to ourselves and our Posterity."

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225        From this tradition emerged the one nation under God  
226        that we have inherited today.

227        (c) This section may not be construed to require a  
228        local board of education to spend its funds to purchase the  
229        displays required by this section. To fund the displays free  
230        of charge, a local board of education may accept donated funds  
231        to purchase the displays or may accept donated displays.

232        (d) The State Department of Education shall identify  
233        appropriate resources for local boards of education to comply  
234        with this section free of charge. Once identified, the  
235        department shall list the free resources on the department's  
236        website.

237        (e) The State Board of Education may adopt rules to  
238        implement this section.

239        Section 3. This act shall become effective on October  
240        1, 2026.