

# HB511 INTRODUCED



1 HB511  
2 RB6C1YM-1  
3 By Representative Ingram (Constitutional Amendment)  
4 RFD: State Government  
5 First Read: 25-Feb-26



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SYNOPSIS:

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to public K-12 schools, to require each local board of education to adopt a policy requiring that The Pledge of Allegiance be conducted to the United States flag at the commencement of each school day in each public K-12 school.

This bill would require each local board of education, within 90 days of the ratification of this amendment, to vote whether to adopt a policy allowing employees and students to voluntarily participate in a daily prayer and a reading of the Bible or other religious text and would provide for the submission of a consent form to participate.

This bill would prohibit the prayer and reading from being conducted as a substitute for instructional time or in the presence of any individual who has not consented to participate.

This bill would authorize violations of this amendment to be reported to the State Superintendent of Education and for investigation by the State Department of Education.

This bill would require the State Superintendent of Education, upon the determination that a local board



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29 of education or public school has shown a continued  
30 pattern of intentional refusal to conduct The Pledge of  
31 Allegiance in accordance with this amendment, to  
32 withhold 25 percent of state funding allocated to the  
33 offending local board of education.

34 This bill would require the State Superintendent  
35 of Education, upon the determination that a local board  
36 of education has failed to hold a timely vote on  
37 whether to authorize the policy relating to prayer and  
38 reading of the Bible or other religious text to  
39 withhold 25 percent of state funding allocated to the  
40 offending local board of education.

41 This bill would also authorize the Legislature  
42 to further reduce the funding to a local board of  
43 education following continued violations.

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A BILL

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TO BE ENTITLED

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AN ACT

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50 Proposing an amendment to the Constitution of Alabama  
51 of 2022, to require local boards of education to adopt  
52 policies requiring each public K-12 school to recite The  
53 Pledge of Allegiance to the United States flag; to require  
54 each local board of education to vote on whether to adopt a  
55 policy allowing employees and students to voluntarily  
56 participate in daily prayer and a reading of the Bible or



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57 other religious text, provided the prayer and reading meets  
58 certain requirements; to provide individuals the opportunity  
59 to consent before participating; to provide for the report and  
60 investigation of violations; to require the State  
61 Superintendent of Education to withhold state funding  
62 allocated to certain offending local boards of education; and  
63 to authorize the Legislature to further reduce funding upon  
64 continued violations.

65 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

66 Section 1. The following amendment to the Constitution  
67 of Alabama of 2022, is proposed:

### PROPOSED AMENDMENT

69 (a) (1) Each local board of education shall adopt a  
70 policy requiring each public K-12 school under its  
71 jurisdiction, at the commencement of the first class each  
72 school day, to conduct The Pledge of Allegiance to the United  
73 States flag and give all students the opportunity to  
74 voluntarily recite The Pledge of Allegiance to the United  
75 States flag.

76 (2) Violations of this subsection may be reported to  
77 the local superintendent of education. The local  
78 superintendent of education shall review the violation. If the  
79 local superintendent of education determines the report is  
80 founded and the violation is not resolved, he or she shall  
81 report the violation to the State Superintendent of Education,  
82 who shall conduct an investigation. If the State  
83 Superintendent of Education, based on the results of the  
84 investigation, determines that a local board of education or



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85 any school under that local board's jurisdiction has shown a  
86 continued pattern of intentional refusal to comply with this  
87 subsection, the State Superintendent of Education shall  
88 withhold 25 percent of the state funding allocated to that  
89 local board of education for the following fiscal year. If the  
90 local board of education or any school under that board's  
91 jurisdiction continues to violate this section, the  
92 Legislature shall provide for further reduction of funding to  
93 the local board of education in the annual appropriation of  
94 education funds.

95 (b) (1) No later than 90 days after the ratification of  
96 this amendment, each local board of education shall vote  
97 whether to adopt a policy requiring each public K-12 school  
98 under its jurisdiction to provide students and employees with  
99 an opportunity to participate in a period of prayer and  
100 reading of the Bible or other religious text on each school  
101 day. A policy adopted pursuant to this subsection shall  
102 reflect all of the following:

103 a. Prohibit a student or employee of the local board of  
104 education from being permitted to participate in the period of  
105 prayer and reading of the Bible or other religious text unless  
106 the employee or parent or guardian of the student submits a  
107 signed consent form to the local board of education that  
108 includes all of the following:

109 1. An acknowledgment that the student or employee has a  
110 choice as to whether to participate in the period of prayer  
111 and reading of the Bible or other religious text.

112 2. A statement that the individual has no objection to



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113 the student's or employee's participation in or hearing of the  
114 prayer or readings offered during the period.

115 3. An express waiver of the individual's right to bring  
116 a claim under state or federal law arising out of the adoption  
117 of a policy under this section, including a claim under the  
118 Establishment Clause of the First Amendment to the United  
119 States Constitution or a related state or federal law,  
120 releasing the local board of education, public K-12 school,  
121 and school employees from liability for those claims.

122 b. Prohibit the provision of a prayer or reading of the  
123 Bible or other religious text over a public address system.

124 c. Specify that a period of prayer or a reading of the  
125 Bible or other religious text may not be a substitute for  
126 instructional time. In order to comply with this paragraph,  
127 the policy may require the period of prayer and reading of the  
128 Bible or other religious text be provided as follows:

129 1. Before normal school hours.

130 2. Only in classrooms or other areas in which a consent  
131 form under paragraph a. has been submitted for every employee  
132 and student.

133 3. By any other method recommended by the Attorney  
134 General or legal counsel of the local board of education.

135 d. Include provisions ensuring a prayer or reading of  
136 the Bible or other religious text is not provided in the  
137 physical presence of, within the hearing of, or in another  
138 manner which would constitute an injury in fact on an  
139 individual for whom a signed consent form has not been  
140 submitted under paragraph a. or revoked under paragraph e.



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141 e. An employee or parent or guardian of a student may  
142 revoke the individual's consent provided in paragraph a. by  
143 informing the appropriate school administrator, as determined  
144 by the local board of education. An employee or student for  
145 whom consent has been revoked under this paragraph: (i) may  
146 not participate in the period of prayer and reading of the  
147 Bible or other religious text until the employee or parent or  
148 guardian of the student submits a new consent form to the  
149 local board of education; and (ii) remains bound by the waiver  
150 described in the consent form.

151 (2) If a local board of education fails to hold the  
152 vote as required by subdivision (1), the failure may be  
153 reported to the State Superintendent of Education. Upon the  
154 receipt of a reported failure, the State Superintendent of  
155 Education shall investigate the reported violation and if he  
156 or she determines, based on the results of the investigation,  
157 that a local board of education failed to hold the vote as  
158 required by subdivision (1), the State Superintendent of  
159 Education shall provide the local board of education with an  
160 opportunity to hold a vote within 90 days. If after 90 days  
161 the local board of education continues to be noncompliant, the  
162 State Superintendent of Education shall withhold 25 percent of  
163 the state funding allocated to that local board of education  
164 for the following fiscal year. If the local board of education  
165 continues to refuse to hold the vote required by subdivision  
166 (1), the Legislature shall provide for further reduction of  
167 funding to the local board of education in the annual  
168 appropriation of education funds.



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169           Upon ratification of this constitutional amendment, the  
170 Code Commissioner shall number and place this amendment as  
171 appropriate in the constitution omitting this instructional  
172 paragraph and may make the following nonsubstantive revisions:  
173 change capitalization, hierarchy, spelling, and punctuation  
174 for purposes of style and uniformity; correct manifest  
175 grammatical, clerical, and typographical errors; revise  
176 internal or external citations and cross-references; harmonize  
177 language; and translate effective dates.

### 178                               END OF PROPOSED AMENDMENT

179           Section 2. An election upon the proposed amendment  
180 shall be held in accordance with Sections 284 and 285 of the  
181 Constitution of Alabama of 2022, and the election laws of this  
182 state. The appropriate election official shall assign a ballot  
183 number for the proposed constitutional amendment on the  
184 election ballot and shall set forth the following description  
185 of the substance or subject matter of the proposed  
186 constitutional amendment:

187           "Proposing an amendment to the Constitution of Alabama  
188 of 2022, to require local boards of education to adopt  
189 policies requiring each public K-12 school to recite The  
190 Pledge of Allegiance to the United States of America at the  
191 commencement of the first class each school day; to require  
192 local boards of education to vote whether to adopt policies  
193 allowing consenting employees and students with consent from  
194 their parent or guardian to participate in daily prayer and a  
195 reading of the Bible or other religious text; to prohibit the  
196 daily prayer or reading of the Bible or other religious text



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197 from substituting for instructional time or being held in the  
198 presence of individuals who have not consented to participate;  
199 and to provide a mechanism for the withholding of funds from  
200 local boards of education that fail to adhere to this  
201 amendment.

202 Proposed by Act \_\_\_\_."

203 This description shall be followed by the following  
204 language:

205 "Yes( ) No( )."

206 Section 3. The proposed amendment shall become valid as  
207 a part of the Constitution of Alabama of 2022, when approved  
208 by a majority of the qualified electors voting thereon.