

SB5 ENROLLED



1 SB5
2 9JG6TPB-2
3 By Senator Allen (Constitutional Amendment)
4 RFD: Education Policy
5 First Read: 13-Jan-26
6 PFD: 17-Jun-25



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1 Enrolled, An Act,

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4 Proposing an amendment to the Constitution of Alabama
5 of 2022, to require local boards of education to adopt
6 policies requiring each public K-12 school to broadcast or
7 sanction the performance of the first stanza of The
8 Star-Spangled Banner at least once per week during school
9 hours.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. The Legislature finds and declares the
12 following:

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

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

21 (3) On the morning of September 14, 1814, after the
22 25-hour British bombardment of Fort McHenry, Key peered
23 through the clearing smoke to see a 42-foot by 30-foot
24 American flag flying proudly atop the fort.

25 (4) He was so inspired to see the enormous flag still
26 flying over the fort that he began penning a song, which he
27 named The Defence of Fort McHenry, to commemorate the
28 occasion, and he included a note that it should be sung to the



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29 tune of the popular British melody To Anacreon in Heaven.

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

33 (6) On March 3, 1931, President Herbert Hoover signed
34 a resolution of Congress that officially designated The
35 Star-Spangled Banner as the National Anthem of the United
36 States.

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

41 Section 2. The following amendment to the Constitution
42 of Alabama of 2022, is proposed:

PROPOSED AMENDMENT

44 (a) Each local board of education shall adopt a policy
45 requiring each public K-12 school under its jurisdiction to
46 broadcast The Star-Spangled Banner during school hours, at
47 least once per week.

48 (b) (1) A local board of education shall select for
49 broadcast, pursuant to subsection (a), any recording of the
50 first stanza of The Star-Spangled Banner that is archived
51 within the Library of Congress and available on the Library of
52 Congress website.

53 (2) A local board of education, alternatively, may
54 adopt a policy allowing, during school hours, for the
55 performance of the first stanza of The Star-Spangled Banner
56 from original sheet music, archived within the Library of



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57 Congress and available on its website, by a school-sanctioned
58 band program, choral program, vocal group, or vocalist.

59 Upon ratification of this constitutional amendment, the
60 Code Commissioner shall number and place this amendment as
61 appropriate in the constitution omitting this instructional
62 paragraph and may make the following nonsubstantive revisions:
63 change capitalization, hierarchy, spelling, and punctuation
64 for purposes of style and uniformity; correct manifest
65 grammatical, clerical, and typographical errors; revise
66 internal or external citations and cross-references; harmonize
67 language; and translate effective dates.

68 Section 3. An election upon the proposed amendment
69 shall be held in accordance with Sections 284 and 285 of the
70 Constitution of Alabama of 2022, and the election laws of this
71 state. The appropriate election official shall assign a ballot
72 number for the proposed constitutional amendment on the
73 election ballot and shall set forth the following description
74 of the substance or subject matter of the proposed
75 constitutional amendment:

76 "Proposing an amendment to the Constitution of Alabama
77 of 2022, to require local boards of education to adopt
78 policies requiring each public K-12 school to broadcast or
79 sanction the performance of the first stanza of The
80 Star-Spangled Banner at least once per week during school
81 hours.

82 Proposed by Act ____."

83 This description shall be followed by the following
84 language:



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85 "Yes() No()."

86 Section 4. The proposed amendment shall become valid as
87 a part of the Constitution of Alabama of 2022, when approved
88 by a majority of the qualified electors voting thereon.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB5
Senate 03-Mar-26
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 09-Apr-26

By: Senator Allen