

**SB99 ENROLLED**



1 SB99  
2 EJRKD2C-2  
3 By Senators Kelley, Sessions  
4 RFD: Education Policy  
5 First Read: 13-Jan-26



## SB99 Enrolled

1 Enrolled, An Act,

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4 Relating to public schools; to provide legislative  
5 findings; to require certain local boards of education to  
6 display the Ten Commandments and certain other documents  
7 related to the formation of this nation, subject to the  
8 availability of donations; to provide for the use of donations  
9 to comply with the display requirement; and to authorize the  
10 State Board of Education to adopt rules.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. The Legislature finds and declares all of  
13 the following:

14 (1) The Ten Commandments are a key part of the  
15 Judeo-Christian religious and moral tradition that shaped  
16 Western Civilization and ultimately the founding of the United  
17 States. In particular, because they include what John Quincy  
18 Adams described as both "civil and municipal" provisions as  
19 well as "moral and religious" provisions, the Ten Commandments  
20 have historical significance as one of the foundations of our  
21 legal system. Teaching students about the Ten Commandments  
22 promotes historical understanding and helps to foster a common  
23 cultural heritage and awareness.

24 (2) Documents created to shape civil society during the  
25 founding era of this nation include direct and indirect  
26 references to God and religion. These documents include the  
27 following:

28 a. The Mayflower Compact of 1620, America's first



## SB99 Enrolled

29 written constitution, was a covenant made among the pilgrims  
30 with "Almighty God" to "form a civil body politic." The  
31 Mayflower Compact was the first purely American document of  
32 self-government and affirmed the link between civil society  
33 and God.

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

37 c. The United States Constitution (1787) stated in its  
38 preamble that one of its purposes was to secure "the Blessings  
39 of Liberty to ourselves and our Posterity" and closed with a  
40 reference to the date of execution as the Seventeenth Day of  
41 September in the Year of our Lord one thousand seven hundred  
42 and eighty-seven.

43 d. The Northwest Ordinance of 1787 provided a method of  
44 admitting new states to the Union from territories as the  
45 country expanded westward. The Northwest Ordinance "extended  
46 the fundamental principles of civil and religious liberty" to  
47 the territories and stated that "[r]eligion, morality, and  
48 knowledge, being necessary to good government and the  
49 happiness of mankind, schools and the means of education shall  
50 forever be encouraged."

51 (3) References to God and religion in public documents  
52 and other public contexts did not end at the founding but  
53 rather have occurred throughout our nation's history without  
54 any serious claim that such references violate the  
55 Establishment Clause. Examples include displays associated  
56 with the Ten Commandments in the Supreme Court of the United



## SB99 Enrolled

57 States, the Library of Congress, the Ronald Reagan  
58 International Trade Building, and the National Archives.  
59 Public references to God have occurred repeatedly over the  
60 nation's history. No outcry followed Abraham Lincoln's  
61 reference to God in his Gettysburg Address in 1863. Our  
62 coinage has born the phrase, "IN GOD WE TRUST," since 1865.  
63 Prayers have opened our legislative sessions for hundreds of  
64 years. In 1932, Congress adopted our National Anthem and  
65 included in the last verse, "In God is our trust." In 1952,  
66 Congress proclaimed a "National Day of Prayer." In 1954,  
67 Congress added "under God" to the Pledge of Allegiance. The  
68 display of the Ten Commandments as provided in this act, with  
69 an appropriate context statement and integrated with the  
70 approved public school social studies curriculum, is  
71 consistent with these historical practices and understandings  
72 and, at a minimum, furthers the same interests as the  
73 interests served by these historical practices and  
74 understandings.

75 (4) The 2024 social studies curriculum approved by the  
76 Alabama State Board of Education (Alabama Course of Study:  
77 Social Studies) provides: "Social studies education in Alabama  
78 aims to prepare students to become knowledgeable, engaged, and  
79 responsible citizens in society. Social studies reflects the  
80 achievements, struggles, interactions, and endeavors that have  
81 characterized human society as it has changed over time and  
82 place to shape the world today. The disciplines of social  
83 studies include, but are not limited to: Anthropology,  
84 Archaeology, Civics, Economics, Geography, Government,



## SB99 Enrolled

85 History, Philosophy, Psychology, Religion, and Sociology."  
86 Display of the Ten Commandments with an appropriate context  
87 statement is essential to the fulfillment of the mandate of  
88 the State Board of Education in the education of students in  
89 the areas of Civics, Government, History, Philosophy,  
90 Religion, and Sociology.

91 (5) Two generations of Alabama students have attended  
92 public schools in an era governed by the now-abandoned test  
93 articulated in *Lemon v. Kurtzman*, 403 U.S. 602 (1971), for  
94 compliance with the Establishment Clause of the United States  
95 Constitution. Assuring restoration to the classroom of  
96 historical truths surrounding the founding of our nation,  
97 including those truths that "partake of the religious,"  
98 *Kennedy v. Bremerton*, 597 U.S. 507, 535 (2022), is vital to  
99 remedying the legal error of *Lemon v. Kurtzman* and to securing  
100 a complete education of our students.

101 (6) Due to reliance on misinterpretations about the  
102 meaning of the Establishment Clause or due to their own  
103 personal policy preferences, a significant number of Alabama  
104 teachers are unlikely to expose public school students to  
105 these historical truths if left with any discretion about how  
106 or whether to present these truths. Posting these historical  
107 truths in classrooms and school common areas is thus an  
108 essential means of accomplishing the state's educational  
109 objectives in teaching students about the historical and  
110 cultural significance of the Ten Commandments on the  
111 development of the United States, as is apparent from  
112 accompanying founding-era documents.



## SB99 Enrolled

113           (7) Including in the posting a reference to the state's  
114 establishment clause and a recognition that "personal choice  
115 about matters of faith are left to students and their  
116 families" will further the state's interests in avoiding the  
117 establishment or religion or interfering with the free  
118 exercise of religion. Such disclaimers will also serve the  
119 state's educational objectives because they will make it more  
120 likely that classroom teachers will become comfortable  
121 discussing the historical truths that are included in the  
122 poster.

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

127           Section 2. (a) Beginning January 1, 2027, and subject  
128 to the availability of donated funds or donated displays  
129 pursuant to subsection (c) as determined by the State  
130 Superintendent of Education, each local board of education  
131 shall display a poster or framed document that meets the  
132 requirements of subsection (b) in each of the following  
133 locations:

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

137           (2) An entry way or other common area, such as the  
138 cafeteria or school library, in every school within the  
139 jurisdiction of the local board of education, except that this  
140 subdivision shall not apply to any school that serves students



**SB99 Enrolled**

141 in kindergarten through fourth grade.

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

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

146 (2) The layout and design of the poster or framed  
147 document shall be approved by the State Superintendent of  
148 Education.

149 (3) The poster or framed document shall contain the  
150 following content:

151 Historical Truths: The Ten Commandments and America's  
152 Founding Documents

153 The Ten Commandments are a key part of the  
154 Judeo-Christian religious and moral tradition that shaped  
155 Western Civilization and ultimately the founding of the United  
156 States. There are many versions of the Ten Commandments. The  
157 one that follows is a common translation but not the only  
158 translation.

159 You shall not have other gods before me

160 You shall not make idols

161 You shall not take the name of the Lord your God in  
162 vain

163 Remember the Sabbath day, to keep it holy

164 Honor your father and your mother

165 You shall not murder

166 You shall not commit adultery

167 You shall not steal

168 You shall not bear false witness against your neighbor



## SB99 Enrolled

169           You shall not covet

170           In 1813, future U.S. President John Quincy Adams wrote  
171 in a letter to his son that, "The Law given from Sinai" - in  
172 other words, the Ten Commandments - "was a civil and municipal  
173 as well as a moral and religious Code." He noted that many of  
174 its provisions "were of universal applications - Laws  
175 essential to the existence of men in Society, and most of  
176 which have been enacted by every Nation which ever possessed  
177 any Code of Law."

178           The Alabama Constitution provides that "no religion  
179 shall be established by law," and the State of Alabama  
180 specifically respects the rights of its public school students  
181 to be free from state-established religion. Recognizing that  
182 personal choice about matters of faith are left to students  
183 and their families, the purpose of this poster is simply to  
184 acknowledge the historical role of the Ten Commandments, and  
185 the broader Judeo-Christian tradition, in shaping American  
186 civil society.

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

190           The Northwest Ordinance of 1787 "extended the  
191 fundamental principles of civil and religious liberty" to the  
192 western territories becoming states and provided that  
193 "[r]eligion, morality, and knowledge, being necessary to good  
194 government and the happiness of mankind, schools and the means  
195 of education shall forever be encouraged."

196           The Declaration of Independence (1776) described all



## SB99 Enrolled

197 men as being "created equal" and acknowledged that they are  
198 "endowed by their Creator with certain unalienable Rights."

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

202 From this tradition emerged the one nation under God  
203 that we have inherited today.

204 (c) This section may not be construed to require a  
205 local board of education to spend its funds to purchase the  
206 displays required by this section. To fund the displays free  
207 of charge, a local board of education may accept donated funds  
208 to purchase the displays or may accept donated displays.

209 (d) The State Department of Education shall identify  
210 appropriate resources for local boards of education to comply  
211 with this section free of charge. Once identified, the  
212 department shall list the free resources on the department's  
213 website.

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

216 Section 3. This act shall become effective on October  
217 1, 2026.



**SB99 Enrolled**

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB99

Senate 31-Mar-26

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,  
Secretary.

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House of Representatives

Passed: 09-Apr-26

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By: Senator Kelley