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Testimony before the
House Committee on Federal & State Affairs
on
HB 2037

by
Mark Tallman, Associate Executive Director for Advocacy

January 25, 2013

Mr. Chairman and Members of the Committee:

I am before you today regarding **HB 2037**, which would create a new statute concerning public property and schools as related to historic and religious displays.

Although our members have not taken a position specifically addressing the issues set forth in **HB 2037**, we have reviewed the bill and note that it has been carefully crafted to avoid running afoul of the Establishment Clause of the U.S. Constitution. The bill notes that any religious displays in the public schools must be done in connection with a course of study that is academic, balanced, objective and not devotional in nature, and does not favor or disfavor any religion or religious belief. Furthermore, the bill notes that any such display in the public schools must be done within the framework of applicable legal precedents. As a result, we believe the bill would approve of displays which are currently allowed under federal law, but would not go beyond what is already allowed by the law.

We are of the opinion that this bill would not place any additional burden or obligations on our member school districts. Therefore, we have no objection to the bill.