

1 State of Arkansas As Engrossed: S3/16/15 S3/25/15

2 90th General Assembly

A Bill

3 Regular Session, 2015

SENATE BILL 939

4

5 By: Senators Rapert, Bledsoe, Caldwell, A. Clark, Collins-Smith, J. Cooper, J. English, Flippo, J.

6 Hendren, Hester, B. Johnson, U. Lindsey, Rice, D. Sanders, G. Stubblefield, E. Williams

7 By: Representatives Hammer, Beck, Brown, Copeland, Cozart, Davis, Della Rosa, L. Fite, Gates, M.

8 Gray, House, Ladyman, Lemons, McNair, D. Meeks, Miller, Ratliff, Petty, Richmond, Rushing, Sorvillo,

9 Speaks, Sullivan, Tosh, Vaught, Wardlaw

10

For An Act To Be Entitled

12 AN ACT CONCERNING THE PLACEMENT OF A TEN COMMANDMENTS

13 MONUMENT DISPLAY ON THE STATE CAPITOL GROUNDS; AND

14 FOR OTHER PURPOSES.

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16

17

Subtitle

18

THE TEN COMMANDMENTS MONUMENT DISPLAY

19

ACT.

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. LEGISLATIVE FINDINGS. The General Assembly finds that:

25 (1) The Ten Commandments, found in the Bible at Exodus 20:1-17
26 and Deuteronomy 5:6-21, are an important component of the moral foundation of
27 the laws and legal system of the United States of America and of the State of
28 Arkansas;

29 (2) The courts of the United States of America and of various
30 states frequently cite the Ten Commandments in published decisions;

31 (3) The Ten Commandments represent a philosophy of government
32 held by many of the founders of this nation and by many Arkansans and other
33 Americans today, that God has ordained civil government and has delegated
34 limited authority to civil government, that God has limited the authority of
35 civil government, and that God has endowed people with certain unalienable
36 rights, including life, liberty, and the pursuit of happiness;



1 (4) In order that they may understand and appreciate the basic
2 principles of the American system of government, the people of the United
3 States of America and of the State of Arkansas need to identify the Ten
4 Commandments, one of many sources, as influencing the development of what has
5 become modern law; and

6 (5) The placing of a monument to the Ten Commandments on the
7 grounds of the Arkansas State Capitol would help the people of the United
8 States and of the State of Arkansas to know the Ten Commandments as the moral
9 foundation of the law.

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11 SECTION 2. Arkansas Code Title 22, Chapter 3, Subchapter 2 is amended
12 to add an additional section to read as follows:

13 22-3-221. Ten Commandments Monument Display Act.

14 (a) This section shall be known and may be cited as the "Ten
15 Commandments Monument Display Act".

16 (b)(1) The Secretary of State shall permit and arrange for the
17 placement on the State Capitol grounds of a suitable monument commemorating
18 the Ten Commandments and containing the following text, which was displayed
19 on the monument declared constitutional in Van Orden v. Perry, 545 U.S. 677
20 (2005):

21 "The Ten Commandments

22 I AM the LORD thy God.

23 Thou shalt have no other gods before me.

24 Thou shalt not make to thyself any graven images.

25 Thou shalt not take the Name of the Lord thy God in vain.

26 Remember the Sabbath day, to keep it holy.

27 Honor thy father and thy mother, that thy days may be long upon the land
28 which the Lord thy God giveth thee.

29 Thou shalt not kill.

30 Thou shalt not commit adultery.

31 Thou shalt not steal.

32 Thou shalt not bear false witness against thy neighbor.

33 Thou shalt not covet thy neighbor's house.

34 Thou shalt not covet thy neighbor's wife, nor his manservant, nor his
35 maidservant, nor his cattle, nor anything that is thy neighbor's."

36 (2)(A) The Secretary of State shall arrange for the monument to

1 be designed, constructed, and placed on the State Capitol grounds by private
2 entities at no expense to the State of Arkansas.

3 (B) The monument shall be placed on the State Capitol
4 grounds where there are other monuments.

5 (3) The Secretary of State shall:

6 (A) Approve the design and site selection for the monument
7 under this subsection; and

8 (B) Arrange a suitable time for its placement.

9 (4)(A) Before approving the design and site selection for the
10 monument under this subsection, the Secretary of State shall consult the
11 Capitol Arts and Grounds Commission and obtain the commission's views on
12 design and site selection.

13 (B) The monument under this subsection shall be exempt
14 from §§ 22-3-301 et seq. and 22-3-501 et seq.

15 (c) In the event that the legality or constitutionality of the
16 monument under subsection (b) of this section is challenged in a court of
17 law, the Attorney General may:

18 (1) Prepare and present a legal defense of the monument; or

19 (2)(A) Request that Liberty Legal Institute prepare and present
20 a legal defense of the monument.

21 (B) A request that Liberty Legal Institute prepare and
22 present a legal defense of the monument shall not be subject to § 25-16-702.

23 (d) The placement of the monument under this section shall not be
24 construed to mean that the State of Arkansas favors any particular religion
25 or denomination over others.

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27 */s/Rapert*

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30 **APPROVED: 04/07/2015**