

1 **Concurrent Resolution Regarding Religious Freedom**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael J. Petersen

Senate Sponsor: Keven J. Stratton

3 **LONG TITLE**

4 **General Description:**

5 This resolution supports and encourages practices that exemplify religious freedom in
6 public spaces.

7 **Highlighted Provisions:**

8 This resolution:

- 9 ▶ acknowledges the historical context that supports the inclusion of religion in government
- 10 and education;
- 11 ▶ supports the right of public school students and teachers to openly express their faith;
- 12 ▶ encourages the accommodation of religious observances in government and community
- 13 settings;
- 14 ▶ supports the protection of religious symbols in public spaces; and
- 15 ▶ encourages the fostering of respectful dialogue among diverse faith traditions.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

21 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

22 WHEREAS, the Declaration of Independence states, "We hold these truths to be
23 self-evident, that all men are created equal, that they are endowed by their Creator with certain
24 unalienable rights, that among these are Life, Liberty, and the pursuit of Happiness. That to
25 secure these rights, Governments are instituted among Men...";

26 WHEREAS, religious freedom is a foundational principle of democratic society and a
27 fundamental human right recognized by the First Amendment of the United States
28 Constitution;

29 WHEREAS, in Thomas Jefferson's description of the Virginia Statute for Religious
30 Freedom of 1786, he established that religious freedom was meant to comprehend, within the

31 mantle of its protection, [Americans] of every denomination;

32 WHEREAS, in a 1790 letter to a Jewish congregation in Newport, Rhode Island, George
33 Washington wrote that the new nation he was helping build would give "to bigotry no
34 sanction, to persecution no assistance," and that "everyone shall sit in safety under his own
35 vine and fig tree and there shall be none to make him afraid.";

36 WHEREAS, Benjamin Franklin's creed, contained in his 1790 letter to Ezra Stiles, states
37 that "God [is the] creator of the universe. That he governs it by his Providence. That he ought
38 to be worshiped.";

39 WHEREAS, John Adams taught "Our Constitution was made only for a moral and religious
40 People. It is wholly inadequate to the government of any other.";

41 WHEREAS, the New England Primer, first published in 1690, and utilized across four
42 centuries, included the Ten Commandments and other theological teachings to instruct
43 children to read and write;

44 WHEREAS, Utah Constitution, Article I, Section 4, declares that the rights of conscience
45 shall never be infringed;

46 WHEREAS, in 1971, the Supreme Court in *Lemon v. Kurtzman* created the "Lemon Test"
47 that included a requirement of a secular legislative purpose, resulting in that case being cited
48 over 7,000 times in subsequent federal cases between the years 1971 and 2019;

49 WHEREAS, in 2022, the Supreme Court overturned the "Lemon Test" in *Shurtleff v.*
50 *Boston* declaring that the *Lemon* decision was "issued during a bygone era when this court
51 took a more freewheeling approach to interpreting legal texts...";

52 WHEREAS, in 2019, the Supreme Court declared in *American Legion v. American*
53 *Humanist Association* that longstanding religiously expressive monuments, symbols, and
54 practices require a strong presumption of constitutionality; and

55 WHEREAS, in 2022, the Supreme Court declared in *Kennedy v. Bremerton* that "The [free
56 exercise] clause protects not only the right to harbor religious beliefs inwardly and secretly. It
57 does perhaps its most important work by protecting the ability of those who hold religious
58 beliefs of all kinds to live out their faiths in daily life through the performance of (or
59 abstention from) physical acts.";

60 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
61 Governor concurring therein, supports and encourages practices that exemplify religious
62 freedom in public spaces, including the right of public school students and teachers to openly
63 express their faith, accommodation of religious observances in government and community
64 settings, the protection of religious symbols in public spaces, and the fostering of respectful

65 dialogue among diverse faith traditions to uphold the foundational principles of religious
66 liberty enshrined in the United States Constitution.

67 BE IT FURTHER RESOLVED that the Legislature and the Governor support protecting
68 religious freedom and allowing individuals of all faiths to participate freely in public life.