

1 **Concurrent Resolution Regarding Religious Freedom**  
2026 GENERAL SESSION  
STATE OF UTAH

**Chief Sponsor: Michael J. Petersen**

Senate Sponsor: Keven J. Stratton

Cosponsor:	Michael L. Kohler	Calvin Roberts
Tiara Auxier	Jason B. Kyle	Jake Sawyer
Walt Brooks	Leah Hansen	Troy Shelley
Jefferson S. Burton	Karianne Lisonbee	Lisa Shepherd
Joseph Elison	Anthony E. Loubet	Rex P. Shipp
Jon Hawkins	A. Cory Maloy	Christine F. Watkins
Ken Ivory	Nicholeen P. Peck	Stephen L. Whyte

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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

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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 to the United States Constitution;

28 WHEREAS, in Thomas Jefferson's description of the Virginia Statute for Religious  
29 Freedom of 1786, he established that religious freedom was meant to comprehend, within the  
30 mantle of its protection, Americans of every denomination;

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

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

38 WHEREAS, in his 1796 farewell address to the people of the United States, George  
39 Washington said, "Of all the dispositions and habits which lead to political prosperity, religion  
40 and morality are indispensable supports.";

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

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

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

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

51 WHEREAS, in 2022, the Supreme Court overturned the "Lemon Test" in *Shurtleff v.*  
52 *Boston* declaring that the *Lemon* decision was "issued during a bygone era when this court

53 took a more freewheeling approach to interpreting legal texts...";

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

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

62 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
63 Governor concurring therein, supports and encourages practices that exemplify religious  
64 freedom in public spaces, including the right of public school students and teachers to openly  
65 express their faith, accommodation of religious observances in government and community  
66 settings, the protection of religious symbols in public spaces, and the fostering of respectful  
67 dialogue among diverse faith traditions to uphold the foundational principles of religious  
68 liberty enshrined in the United States Constitution.

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

71 BE IT FURTHER RESOLVED that copies of this resolution be sent to each county  
72 legislative body, municipal legislative body, and local school board within the state.