

1 ENGROSSED SENATE
2 CONCURRENT
3 RESOLUTION NO. 1

By: Standridge, Dahm, Allen,
Bergstrom, Bice, Boggs,
Bullard, Coleman, Daniels,
David, Dossett, Dugger,
Hall, Haste, Howard, Ikley-
Freeman, Jech, Kidd,
Leewright, McCortney,
Montgomery, Murdock,
Newhouse, Paxton, Pederson,
Pemberton, Pugh, Quinn,
Rader, Rosino, Scott,
Sharp, Shaw, Silk, Simpson,
Smalley, Stanislowski,
Stanley, Thompson and
Weaver of the Senate

10 and

11 Echols of the House

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14 A Concurrent Resolution urging the ratification of
15 the Parental Rights Amendment to the United States
16 Constitution; and directing distribution.

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18 WHEREAS, the right of parents to direct the upbringing,
19 education and care of their children is a fundamental right
20 protected by the Constitutions of the United States and the State of
21 Oklahoma; and

22 WHEREAS, our nation has historically relied first and foremost
23 on parents to meet the real and constant needs of children; and
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1 WHEREAS, the interests of children are best served when parents
2 are free to make childrearing decisions about education, religion
3 and other areas of a child's life without state interference; and

4 WHEREAS, the United States Supreme Court in Wisconsin v. Yoder
5 (1972) has held that "this primary role of the parents in the
6 upbringing of their children is now established beyond debate as an
7 enduring American tradition"; and

8 WHEREAS, however, the United States Supreme Court in Troxel v.
9 Granville (2000) produced six different opinions on the nature and
10 enforceability of parental rights under the United States
11 Constitution; and

12 WHEREAS, this decision has created confusion and ambiguity about
13 the fundamental nature of parental rights in the laws and society of
14 several states; and

15 WHEREAS, Senator Lindsey Graham of the State of South Carolina
16 and Representative Jim Banks of the State of Indiana introduced in
17 the United States Congress an amendment to the United States
18 Constitution to prevent erosion of the enduring American tradition
19 of treating parental rights as fundamental rights:

20 SECTION ONE: The liberty of parents to direct the upbringing,
21 education, and care of their children is a fundamental right.

22 SECTION TWO: The parental right to direct education includes the
23 right to choose, as an alternative to public education, private,
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1 religious or home schools and the right to make reasonable choices
2 within public schools for one's child.

3 SECTION THREE: Neither the United States nor any State shall
4 infringe upon this right without demonstrating that its governmental
5 interest as applied to the person is of the highest order and not
6 otherwise served.

7 SECTION FOUR: The parental rights guaranteed by this article
8 shall not be denied or abridged on account of disability.

9 SECTION FIVE: This article shall not be construed to apply to a
10 parental action or decision that would end life; and

11 WHEREAS, this amendment will add explicit text to the
12 Constitution of the United States to protect in perpetuity the
13 rights of parents as they are now enjoyed, without substantive
14 change to current state or federal laws respecting these rights; and

15 WHEREAS, such enumeration of these rights in the text of the
16 Constitution will preserve them from being infringed upon by the
17 shifting ideologies and interpretations of the United States Supreme
18 Court.

19 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION
20 OF THE 57TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES
21 CONCURRING THEREIN:

22 THAT we hereby affirm the Parental Rights Amendment to the
23 United States Constitution as presented to the United States
24 Congress by Senator Lindsey Graham of the State of South Carolina

1 and Representative Jim Banks of the State of Indiana and as
2 referenced herein.

3 THAT this Legislature urges the members of the United States
4 Congress to propose the Parental Rights Amendment to the States for
5 ratification.

6 THAT a certified copy of this resolution be transmitted to the
7 President of the United States Senate, the Speaker of the United
8 States House of Representatives and to the Oklahoma Congressional
9 Delegation.

10 Adopted by the Senate the 13th day of February, 2019.

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Presiding Officer of the Senate

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14 Adopted by the House of Representatives the ____ day of _____,
15 2019.

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Presiding Officer of the House
of Representatives

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