

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1427

By: Ivester

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6 AS INTRODUCED

7 An Act relating to religious freedom; creating the
8 Statute of Religious Freedom Act; providing short
9 title; establishing statute of religious freedom;
10 providing for codification; providing for
11 noncodification; and providing an effective date.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law not to be
14 codified in the Oklahoma Statutes reads as follows:

15 This act shall be known and may be cited as the "Statute of
16 Religious Freedom Act".

17 SECTION 2. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 9031 of Title 74, unless there
19 is created a duplication in numbering, reads as follows:

20 Whereas Almighty God hath created the mind free; that all
21 attempts to influence it by temporal punishments or burthens, or by
22 civil incapacitations, tend only to beget habits of hypocrisy and
23 meanness, and are a departure from the plan of the Holy author of
24 our religion, who being Lord both of body and mind, yet chose not to

1 propagate it by coercions on either, as it was in his Almighty power
2 to do; that the impious presumption of legislators and rulers, civil
3 as well as ecclesiastical, who being themselves but fallible and
4 uninspired men, have assumed dominion over the faith of others,
5 setting up their own opinions and modes of thinking as the only true
6 and infallible, and as such endeavouring to impose them on others,
7 hath established and maintained false religions over the greatest
8 part of the world, and through all time; that to compel a man to
9 furnish contributions of money for the propagation of opinions which
10 he disbelieves, is sinful and tyrannical; that even the forcing him
11 to support this or that teacher of his own religious persuasion, is
12 depriving him of the comfortable liberty of giving his contributions
13 to the particular pastor, whose morals he would make his pattern,
14 and whose powers he feels most persuasive to righteousness, and is
15 withdrawing from the ministry those temporary rewards, which
16 proceeding from an approbation of their personal conduct, are an
17 additional incitement to earnest and unremitting labours for the
18 instruction of mankind; that our civil rights have no dependence on
19 our religious opinions, any more than our opinions in physics or
20 geometry; that therefore the proscribing any citizen as unworthy the
21 public confidence by laying upon him an incapacity of being called
22 to offices of trust and emolument, unless he profess or renounce
23 this or that religious opinion, is depriving him injuriously of
24 those privileges and advantages to which in common with his fellow-

1 citizens he has a natural right; that it tends only to corrupt the
2 principles of that religion it is meant to encourage, by bribing
3 with a monopoly of worldly honours and emoluments, those who will
4 externally profess and conform to it; that though indeed these are
5 criminal who do not withstand such temptation, yet neither are those
6 innocent who lay the bait in their way; that to suffer the civil
7 magistrate to intrude his powers into the field of opinion, and to
8 restrain the profession or propagation of principles on supposition
9 of their ill tendency, is a dangerous fallacy, which at once
10 destroys all religious liberty, because he being of course judge of
11 that tendency will make his opinions the rule of judgment, and
12 approve or condemn the sentiments of others only as they shall
13 square with or differ from his own; that it is time enough for the
14 rightful purposes of civil government, for its officers to interfere
15 when principles break out into overt acts against peace and good
16 order; and finally, that truth is great and will prevail if left to
17 herself, that she is the proper and sufficient antagonist to error,
18 and has nothing to fear from the conflict, unless by human
19 interposition disarmed of her natural weapons, free argument and
20 debate, errors ceasing to be dangerous when it is permitted freely
21 to contradict them:

22 Be it enacted by the Legislature, That no man shall be compelled
23 to frequent or support any religious worship, place, or ministry
24 whatsoever, nor shall be enforced, restrained, molested, or burdened

1 in his body or goods, nor shall otherwise suffer on account of his
2 religious opinions or belief; but that all men shall be free to
3 profess, and by argument to maintain, their opinion in matters of
4 religion, and that the same shall in no wise diminish enlarge, or
5 affect their civil capacities.

6 And though we well know that this Legislature elected by the
7 people for the ordinary purposes of legislation only, have no power
8 to restrain the acts of succeeding assemblies, constituted with
9 powers equal to our own, and that therefore to declare this act to
10 be irrevocable would be of no effect in law; yet we are free to
11 declare, and do declare, that the rights hereby asserted are of the
12 natural rights of mankind, and that if any act shall be hereafter
13 passed to repeal the present, or to narrow its operation, such act
14 shall be an infringement of natural right.

15 SECTION 3. This act shall become effective November 1, 2014.

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