



PARCA

# ANALYSIS

**An Analysis of the  
Proposed Statewide  
Amendments for the  
2026 General Election**

*An Analysis of the Proposed Statewide Amendments for the 2026 General Election*

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**Public Affairs  
Research Council  
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# **An Analysis of the Proposed Statewide Amendments for the 2026 General Election**



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## Introduction

When voters go to the polls on Nov. 3, they'll not only decide between candidates for state and federal office, but they will also decide whether to add 36 more amendments to the Alabama Constitution.

Alabama slimmed down and reorganized its Constitution in 2022. However, it remains, by far, the longest state constitution in the United States, four times the length of the next state, Texas.

The first two amendments that will be voted on statewide are typical constitutional subjects dealing with state government structure:

- 1 **Statewide Amendment 1:** Sets new rules for filling a vacancy in the Lieutenant Governor's Office.
- 2 **Statewide Amendment 2:** Creates a procedure that would allow adjoining county school systems to merge.

The other two statewide amendments are less typical. In other states, these two proposals would more typically be found in law or regulation rather than in a state constitution. (In fact, there are already state laws addressing the subjects in Statewide Amendment 3.)

Typically, constitutions state fundamental principles and powers or create the structure and basic rules of government. Alabama tends to get deep into details. Statewide Amendments 3 and 4 require every local school board to adopt policies.

- 3 **Statewide Amendment 3:** Requires schools to hold daily recitations of the Pledge of Allegiance and facilitates student-initiated, student-led prayer.
- 4 **Statewide Amendment 4:** Requires a weekly performance of the national anthem at each school.

The remaining 32 amendments derive from the split personality of the Alabama Constitution. Alabama's Constitution is strict in its limits on the powers of local and state governments. To make changes that the legislature or the local government might make

in other states, Alabama has to amend its constitution, particularly when it comes to taxes.

Meanwhile, though the Constitution is very controlling, it is, at the same time, very permissive. Every county has multiple amendments that create exemptions, exceptions, or different rates or rules for each county. Under current procedure, each county can amend, through a vote of its people, its own little corner of the state constitution.

## Amendment One

*“Proposing an amendment to the Constitution of Alabama of 2022, to provide for the election of a Lieutenant Governor if the Office of Lieutenant Governor becomes vacant during the first two years of a term, to authorize the Legislature to set the salary of the Lieutenant Governor and officers of the Legislature, and to require any expenditure of legislative funds for travel to be approved by a legislative officer. Proposed by Act 2026-341.”*

Proposed by [Act No. 2026-341](#) (Senate Bill 271, 2026 Regular Legislative Session)

Bill Sponsor: Senator Givhan

In current law, if the office of Lieutenant Governor becomes vacant during a term of office, the vacancy remains until the next regular election for statewide officials. The Alabama Constitution also requires that the pay of the Lieutenant Governor be the same as that of the Speaker of the House.

### If the Amendment Is Approved

If approved, Amendment 1 will require an election to fill the office of Lieutenant Governor for the remainder of an unexpired term if the office becomes vacant in the first two years of an elected term and more than 60 days before the next general election. It will also allow the legislature to set the pay of its officers and the lieutenant governor by joint resolution.

The proposed amendment also provides for the Senate president pro tempore to ascend to the position of lieutenant governor if the elected lieutenant governor is impeached, disabled, or absent for more than 20 days, pending acquittal in the case of impeachment or the election of a replacement lieutenant governor during the first two years of the term.

### If the Amendment Is Not Approved

If Amendment 1 is not approved, the succession rules will remain unchanged.

**What changes?** The amendment does not change the order of succession but requires an election to fill the lieutenant governor position if the vacancy occurs within the first

two years of the term.

**Why does it matter?** The Alabama Constitution creates the office of lieutenant governor and gives him or her the responsibility of presiding over sessions of the state senate. Constitutionally, the other role of the lieutenant governor is to fill the office of the governor if the governor dies, is removed from office, or if the governor is out of state for 20 days.

If the lieutenant governor takes over for the governor, or dies, or is impeached, the office stays vacant until the next election of state officers, which could be almost four years later. While the state senate would continue its business with the Senate pro tem presiding, the other roles of the lieutenant governor would remain unfilled.

Along with presiding over the state senate and filling a vacancy in the governor's office, the lieutenant governor also chairs the Alabama Job Creation & Military Stability Commission; is a member of the Alabama Historical Commission; is a member of the Mental Health Board of Trustees; and appoints more than 400 positions to approximately 167 boards and commissions.

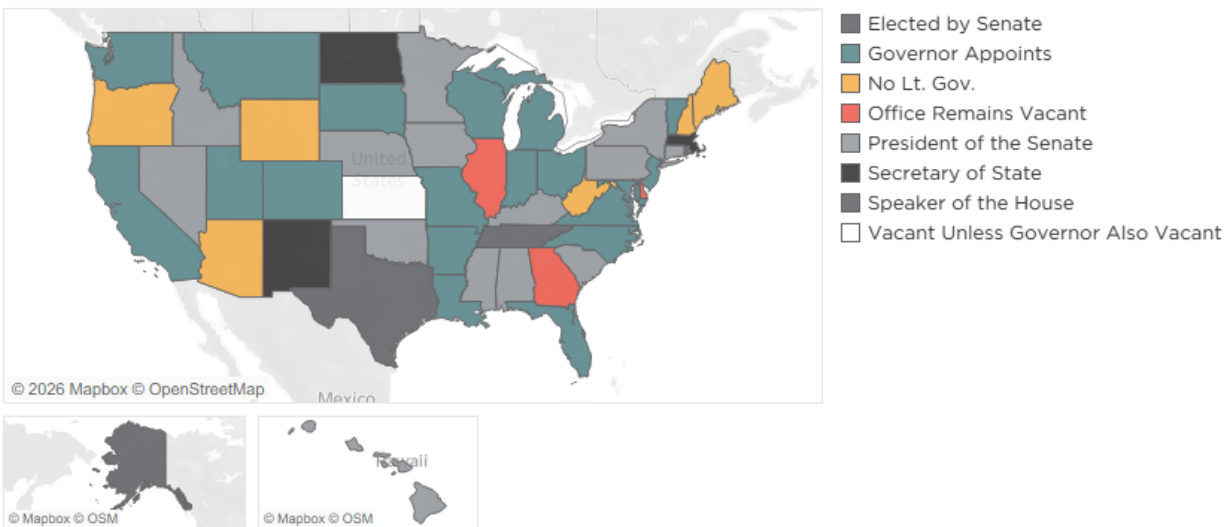
## **Comparisons with Other States**

Not all states have a lieutenant governor. In six states, the office does not exist; in Tennessee, the president of the senate, elected by the Senate, is ex officio the lieutenant governor.

In 19 states, the governor appoints the lieutenant governor when the office is vacant. In 14 states, including Alabama, the president of the senate fills the role when it is vacant.

In three states, the secretary of state succeeds, and in one state, Rhode Island, the speaker of the house takes the office when it is vacant. In Kansas, if the office becomes vacant, it remains so until another person is elected in a regularly scheduled election, unless the governor's office is also vacant. [This map](#) provides a comparison of succession schemes across all 50 states.

## Succession Patterns Across 50 States: Lt. Governor



Sources: The [Council of State Governments](#). This data has been modified by the [Public Affairs Research Council of Alabama](#). Additional information has been added from [Wikipedia](#), Ballotpedia ([Alabama](#) and [New Jersey](#)), with additional details and clarifications from the [American Samoa Bar Association](#), the State of Oklahoma's, [Transparent Oklahoma](#), and the [Texas Constitution and Statutes](#) (current as of 09/24/2026)...

### Legislative Salaries

Additionally, and arguably more significantly, this amendment would authorize the Legislature to set the pay of the Lieutenant Governor and officers of the Legislature by joint resolution. This action would not be subject to the Governor's veto.

Some states provide separate additional compensation for majority floor leaders, but Alabama's legislative compensation rule relies on median household income as the base salary without any additional compensation, other than standard per diem and travel reimbursements.

This would eliminate the current method of determining legislative salaries for those leadership offices, established in 2012. That year, Constitutional Amendment 871 was approved by voters, tethering the annual basic compensation for each member of the Alabama Legislature to the state's median household income.

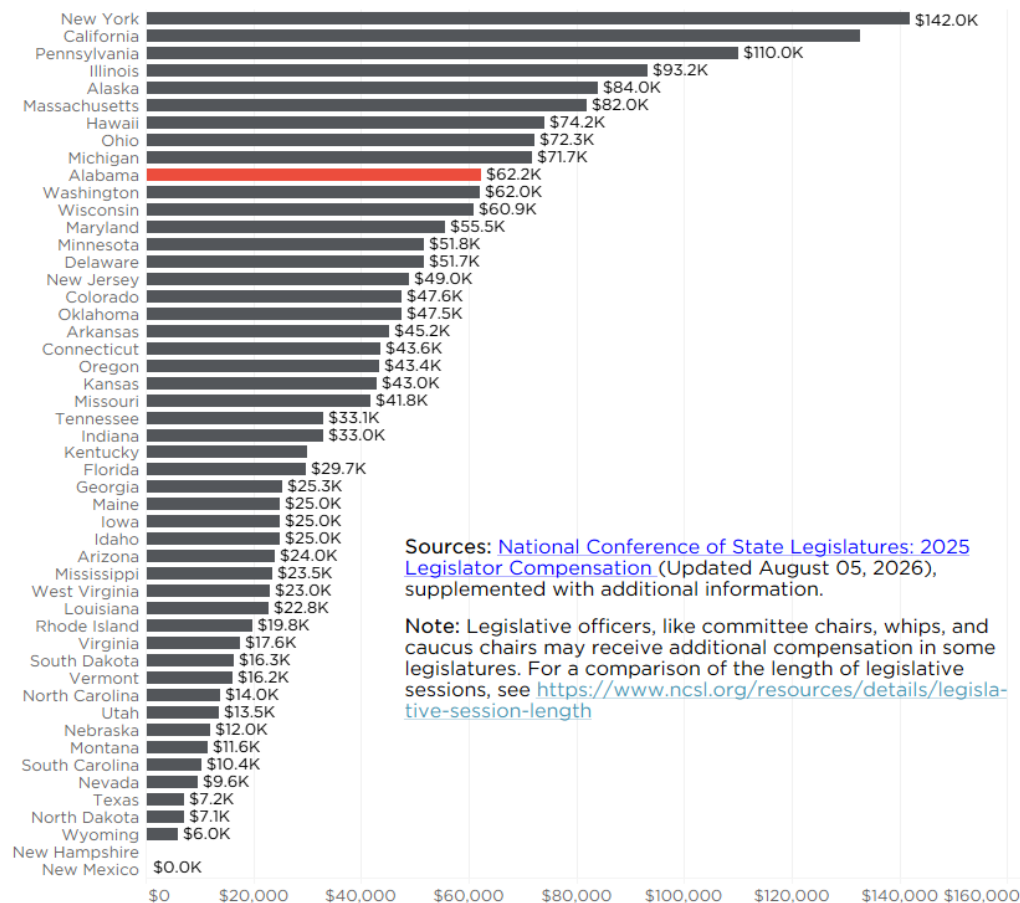
In 2025, legislative salaries in Alabama, at \$62,212, ranked tenth among state legislatures, based on information from the National Conference of State Legislatures.

In 2025, salaries for state legislators ranged from zero (\$0) for legislators in New Mexico and \$100 for legislators in New Hampshire, to \$142,000 in New York.

Meanwhile, at \$77,674, Alabama's lieutenant governor's salary ranks 8th from the bottom among the 44 states with the position, with Kansas topping the list at \$244,957 in 2025.

The salary for the lieutenant governor in Alabama is set by statute and cannot be changed during their term of office, according to [Ala. Const. art IV, § 118](#). However, compensation of the lieutenant governor shall be the same as that received by the speaker of the house, except while serving as governor, during which time the compensation for the lieutenant governor shall be the same as the governor.

### Legislative Salaries Across All 50 States



Additionally, this amendment would remove the Lieutenant Governor's role in approving legislative funds for travel by members of the legislature. Instead, such funds would be

approved by an officer elected by the members of that legislative chamber.

Currently, travel expenses outside of session require prior approval by the President of the Senate (the Lieutenant Governor) or the Speaker of the House, as the case may be ([Ala. Const. art IV, § 49](#)).

Included in that provision are regulations that mirror those promulgated in the Administrative Procedures Act for other state employees. Leaders of each chamber cannot discriminate between members of the legislature regarding timely reimbursement of authorized expenses, and exclusion of reimbursement for expenses for members living within 50 miles of seat of government.

**What changes?** Currently, there is no additional compensation for legislative officials like the president of the senate or the speaker of the house. The amendment would permit increases in salaries for legislative officials by joint resolution of the Legislature, not subject to gubernatorial veto.

With regard to travel expenses, the Constitution currently limits the power of leaders to discriminate in the payment of travel expenses, stating that, “the presiding officer of either House may not determine a particular expense incurred by any member of the Legislature was not in the service of the state on any basis that discriminates between members of the Legislature” ([Ala. Const. art IV, § 49](#)).

According to the sponsor, Senator Givhan, “[T]he only thing changing is this regard is that the Pro Tem, and not the Lt. Governor, who is a member of the Executive Branch, would approve these matters in the same manner as the Speaker does for House Members.”

## **Passage**

The Constitutional authority for passage of Amendment 1 is set forth in accordance with Sections 284 and 285 of the Constitution of Alabama of 2022, and the election laws of the State of Alabama.

The ballot language points out that there is no implementing legislation. As such, there are no costs or taxes associated with Amendment 1.

If the majority of voters vote “yes” on Amendment 1, the Alabama Constitution will be changed.

For a detailed analysis of the succession, powers, and salaries of lieutenant governors and legislative salaries and paid expenses, see this visualization at:

<https://tinyurl.com/Amendment1-2026>

## Amendment Two

*“Proposing an amendment to the Constitution of Alabama of 2022, to provide a process for the creation of a consolidated county school system by merging two or more contiguous county boards of education; to require the State Board of Education to conduct an impact study on the potential effects of the consolidation; to require publication of the impact study; to provide a procedure for protesting a proposed consolidation of two or more county school systems; and to require the State Board of Education to adopt rules.”*

Proposed by [Act 2026-378](#) (House Bill 380, 2026 Regular Legislative Session)

Bill Sponsor: Representative Collins

Alabama school systems vary in enrollment, geography, and financial resources, with smaller systems often facing higher per-pupil costs as fixed operational expenses are spread across fewer students. Consolidation may offer opportunities to share resources and reduce administrative costs, although potential benefits would depend on participating systems.<sup>1</sup>

A 2026 law, HB178, established a process for merging city school systems.<sup>2</sup> However, under the current law, there is not a process for merging county school systems. On November 3, **Statewide Amendment Two**, HB380, will appear on the general election ballot. The amendment would establish a framework for merging two or more neighboring county boards of education into one consolidated school system. However, it is important to note that the amendment is designed to create a means of exploring consolidation proposals. It does not automatically initiate a consolidation but can be used to explore it.

Under HB380, two or more county school boards must agree to consolidate and approve a plan addressing existing debt, how the new board would operate, board members' responsibilities, and the timeline for consolidation. The merging boards would also have to agree on the allocation of tax dollars raised for the support of schools. Adjacent counties and tax districts within county school systems often have different tax rates and tax sources. A consolidation agreement would need to address how these differences are

dealt with.

A consolidated two-county system proposal would also set up a system for unified administration under a shared superintendent and management team.

The State Board of Education would also be required to conduct and publish an impact study of the consolidation proposal.

If at least 25% of qualified voters living within any one participating school system submit a written protest within 30 days of the plan's approval, a referendum would be required. Consolidation could then take effect only if approved by a majority vote in the referendum at the next general election.

### **If the Amendment Is Approved**

Voting “**Yes**” would amend the Alabama Constitution to establish a framework for consolidating neighboring county school systems. No such framework currently exists. Adopting the amendment does not initiate or require consolidation of any system. The amendment simply outlines a process for interested systems to pursue consolidation.

### **If the Amendment Is Not Approved**

Voting “**No**” would leave the Constitution unchanged, and the proposed consolidation framework will not take effect.

### **Factors That May Help Inform Consolidation Decisions**

If approved, Amendment Two (HB380) would establish a voluntary process for neighboring county school systems to consolidate. It would not require or automatically initiate a consolidation. Of Alabama's 155 public school systems, only 43% would be eligible to participate in the consolidation process established under Amendment Two (HB380).<sup>3</sup> Several factors could influence consolidation discussion, including the following:

**Enrollment decline and socioeconomic differences may influence consolidation decisions.** From 2016 to 2026, county school system enrollment declined by 24,549 students (5.2%).<sup>4</sup> Declining enrollment could prompt neighboring systems to consider consolidation to address financial and operational pressures, manage changes to costs,

reallocate resources, and meet student needs.

**System size and per-pupil spending may inform discussions about potential savings from a consolidation.** In FY2024, smaller county systems generally reported higher average per-pupil expenditures.<sup>5,6</sup> Administrative spending averaged **\$1,083** per pupil in small systems, compared to **\$547** in medium systems and **\$471** in large systems.<sup>7</sup> These differences could encourage discussions about whether combining administrative functions could reduce costs. However, differences in student needs, geography and operations could affect the savings that would result from a consolidation.<sup>8</sup>

**Geography may influence whether merging is feasible.** Differences in geographic size, population distribution, and school locations could influence whether consolidation creates advantages or disadvantages, particularly in sparsely populated rural areas. Facility use, transportation costs, travel times, attendance zones, and access to educational programs and services would all be considerations.<sup>9</sup>

**Governance differences may influence local support for consolidation.** Under HB380, participating systems would transition from separate county boards to a unified multi-county board. Discussions around merging will need to consider how board representation, decision-making authority, and community involvement would be structured to create a balance between administrative coordination and local representation.<sup>10,11</sup>

## Conclusion

If approved, Amendment Two would give neighboring county school systems a way to explore consolidation. It would not require any systems to merge or automatically start the consolidation process. Consolidation could help county school systems reduce administrative and operating costs and direct more resources toward educational programs and services. However, the potential financial, educational, and governance effects would largely depend on the systems involved. The impact study required under HB380 would help identify these effects and inform decisions about each proposed merger.

## Notes

1. Stadler and Abbott, *Redrawing the Lines* (2025); Alabama State Department of Education (ALSDE), "Expenditures by Function," 2019–2024, Financial Reports, <https://www.alabamaachieves.org/reports-data/financial-reports/>; author's calculations; North East Independent School District, "Campus Consolidation" (2025); Chin, "School District Consolidation in North Carolina" (2023).
2. Alabama Legislature, *House Bill 178 (HB178)*, 2026 Regular Session, enacted April 17, 2026, <https://alison.legislature.state.al.us/files/pdf/SearchableInstruments/2026RS/HB178-enr.pdf>.
3. National Center for Education Statistics (NCES), "Public School Enrollment and Pupil/Teacher Ratio by State, 2024–25," Elementary/Secondary Information System (ELSi), U.S. Department of Education, <https://nces.ed.gov/ccd/elsi/>; author's calculations.
4. Alabama State Department of Education (ALSDE), "Fall Enrollment by System-School," 2016–2026, <https://www.alabamaachieves.org/reports-data/>.
5. Total number of county systems analyzed excluded Mobile County due to inaccuracy in reported data.
6. Average daily membership (ADM) was used to classify county school systems into three size categories: small (fewer than 5,000 ADM), medium (5,000–9,999 ADM), and large (10,000 or more ADM).
7. ALSDE, "Expenditures by Function," 2019–2024; author's calculations; Alabama State Department of Education (ALSDE), "ADM – Average Daily Membership," *Financial Reports*, <https://www.alabamaachieves.org/reports-data/financial-reports/>.
8. Little Hoover Commission, *Evaluating California's School Districts*; Colorado Department of Education, Joint Budget Committee Hearing, December 10, 2010, 9.
9. Little Hoover Commission, *Evaluating California's School Districts: A Tool for Consolidation Review*, Report No. 296 (Sacramento, CA: Little Hoover Commission, 2026); William A. Ellegood, Jason M. Riley, and M. Douglas Berg, "The Many Costs of Operating School Buses in America," *Research in Transportation Economics* 103 (2024): 101401, <https://doi.org/10.1016/j.retrec.2023.101401>.
10. Alabama Legislature, *House Bill 380 (HB380)*, 2026 Regular Session, Act No. 2026-378.
11. Sarah Ausmus Smith and Ron Zimmer, *The Impacts of School District Consolidation on Rural Communities: Evidence from Arkansas Reform*, EdWorkingPaper No. 22-530 (Providence, RI: Annenberg Institute at Brown University, 2022), <https://doi.org/10.26300/ghex-rp75>; Joseph Sageman, "School Closures and Rural Population Decline," *Rural Sociology* 87, no. 3 (2022): 960–992, <https://doi.org/10.1111/ruso.12437>.

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- Domina, Thurston, et al. "Is Free and Reduced-Price Lunch a Valid Measure of Educational Disadvantage?" *Educational Researcher* 47, no. 9 (2018): 539–555. <https://doi.org/10.3102/0013189X18797609>.
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## Amendment Three

*“Proposing an amendment to the Constitution of Alabama of 2022, to require local boards of education to adopt policies requiring each public K-12 school to recite The Pledge of Allegiance to the United States flag at the beginning of each school day; and to require local boards of education to adopt a policy authorizing student-initiated and student-led prayer. Proposed by Act 2026-379.”*

Proposed by [Act No. 2026-379](#) (House Bill 511, 2026 Regular Legislative Session)

Bill Sponsor: Representative Reed Ingram (R-Elmore and Montgomery County)

### If the Amendment Is Approved

If a majority of voters vote yes on Statewide Amendment Three, each local board of education will be required to adopt two different policies.

- 1 One policy requiring each school, at the beginning of the day, to conduct a recitation of the Pledge of Allegiance during which students can voluntarily recite “The Pledge of Allegiance to the United States flag.”
- 2 Another policy requiring each public K-12 school to adopt a policy allowing for student-initiated, student-led prayer.

Both policies must specify that students have the right to opt out of the Pledge or the prayer based on their own beliefs.

Violations of either policy may be reported to the local superintendent of education for review.

### If the Amendment Is Not Approved

If a majority vote no, the daily Pledge of Allegiance will still be required under Alabama law. Student-led, student-initiated prayer will remain a constitutionally protected right, but local boards of education will not be compelled to draft policies authorizing it.

## Discussion

An Alabama law, [Act 2019-241](#), already requires schools to hold a voluntary Pledge recitation. The act is a revision of law first enacted in 1976. Student-led prayer is specifically authorized in Alabama law in Section 16-1-20 of the Alabama Code.

Under the First Amendment to the Constitution of the United States and under the Alabama Constitution's Declaration of Rights, government cannot limit a person's speech.

The First Amendment's language is familiar and includes freedom of speech, freedom of religion and the establishment clause, which forbids government establishment of religion.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The First Amendment initially only applied to the federal government, but the Fourteenth Amendment, passed in the wake of the Civil War, made the U.S. Constitution's provisions applicable to the states. Regardless, the Alabama Constitution's Declaration of Rights already contained similar if not more emphatic statements of rights.

### [Alabama Constitution Section 4 Freedom of Speech and Press.](#)

That no law shall ever be passed to curtail or restrain the liberty of speech or of the press; and any person may speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

Under U.S. Supreme Court precedent, governments can violate the Constitution not only by limiting speech, but also by attempting to compel speech.

Most immediately applicable to the proposed amendment's Pledge policy is a case from 1943, [West Virginia State Board of Education v. Barnette](#).<sup>1</sup> In that case, the Supreme Court struck down a West Virginia law that required students to salute and recite the Pledge. Students could be expelled if they failed to comply.

In the opinion striking down the law, Justice Robert H. Jackson wrote:

“If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein.”<sup>2</sup>

The proposed constitutional amendment avoids running afoul of the U.S. Constitution by specifying that the required policies must include language indicating that the Pledge is voluntary and students can opt out of participation.

Prayer in school raises additional issues, which led the sponsor to focus on prayer that is student-initiated and student-led.

Under the Alabama Constitution, governments are prohibited from establishing or preferring a religion or compelling attendance at a place of worship.

#### [Alabama Constitution Section 3 Religious Freedom.](#)

That no religion shall be established by law; that no preference shall be given by law to any religious sect, society, denomination, or mode of worship; that no one shall be compelled by law to attend any place of worship; nor to pay any tithes, taxes, or other rate for building or repairing any place of worship, or for maintaining any minister or ministry; that no religious test shall be required as a qualification to any office or public trust under this state; and that the civil rights, privileges, and capacities of any citizen shall not be in any manner affected by his religious principles.

#### [Section 3.02 Religious Rights and Liberties.](#)

Every person shall be at liberty to worship God according to the dictates of his or her own conscience. No person shall be compelled to attend, or, against his or her consent, to contribute to the erection or support of any place of religious worship, or to pay tithes, taxes, or other rates for the support of any minister of the gospel. ...The civil and political rights, privileges, and capacities of no person shall be diminished or enlarged on account of his or her religious belief.

Despite the Alabama Constitution’s more explicit language, most litigation on the separation of church and state has centered on the U.S. Constitution’s First Amendment.

In a string of cases, most famously *Engel v. Vitale*, the Supreme Court ruled that due to the prohibition found in the Establishment Clause, school officials could not author nor

lead the recitation of prayer in schools. The court's opinion, which struck down a New York school district's daily recitation of a state-composed Regents' prayer, was authored by Alabama-born, Baptist-raised Hugo Black:

"...petitioners argue, the State's use of the Regents' prayer in its public school system breaches the constitutional wall of separation between Church and State. We agree with that contention, since we think that the constitutional prohibition against laws respecting an establishment of religion must at least mean that, in this country, it is no part of the business of government to compose official prayers for any group of the American people to recite as a part of a religious program carried on by government."

Because the proposed Amendment stipulates that the policy pertains to prayer initiated by and led by a student, it avoids some Constitutional concerns.

However, crafting a policy could have pitfalls, and schools will have to take care. In 2000, the Supreme Court found that a prayer that might be considered student-initiated and student-led could still run afoul.

In the case, *Santa Fe Independent School District v. Doe*,<sup>3</sup> the school's practice was to hold an election over whether to have a prayer at football games, delivered by a student elected chaplain. The prayer was delivered over the loudspeaker before a school football game.

The case went to the Supreme Court, which decided that because the game was an official school function, at a school facility, where some players and participants were required to attend, the policy violated the Constitution. The entire scheme was created through school policy and procedure. That made it an endorsement and establishment of religion.

However, in a more recent case, the Supreme Court ruled against a school district that fired a football coach who had a practice of kneeling in prayer at midfield after a game, at first alone, then later joined by members of the team and eventually members of the opposing team.

In the 2022 case, Justice Neil Gorsuch, writing for the majority, noted that after the game had ended, students and school employees were free to do anything they liked, including

freely exercising their religion.

“The Constitution and the best of our traditions counsel mutual respect and tolerance, not censorship and suppression, for religious and nonreligious views alike,” Gorsuch wrote.

Any policy drafted by local school boards will need to balance the students’ rights to free exercise of religion in a school setting with the rights of students or families to be free of coerced observation of religious practice. The policy will have to avoid school endorsement or favoring of religion. The policy will need to avoid having school employees convene or lead prayers during the school day or at official school functions.

## Notes

1. “West Virginia State Board of Education v. Barnette (1943),” *The Free Speech Center*, n.d., accessed October 13, 2026, <https://firstamendment.mtsu.edu/article/west-virginia-state-board-of-education-v-barnette/>.
2. “West Virginia State Board of Education v. Barnette, 319 U.S. 624 (1943),” Justia Law, accessed October 13, 2026, <https://supreme.justia.com/cases/federal/us/319/624/>.
3. “Santa Fe Independent School District v. Doe (2000),” *The Free Speech Center*, n.d., accessed October 13, 2026, <https://firstamendment.mtsu.edu/article/santa-fe-independent-school-district-v-doe/>.

## Amendment Four

*“Proposing an amendment to the Constitution of Alabama of 2022, to require local boards of education to adopt policies requiring each public K-12 school to broadcast or sanction the performance of the first stanza of The Star-spangled Banner at least once per week during school hours.”*

Proposed by [Act 2026-424](#) (Senate Bill 5, 2026 Regular Legislative Session)

Bill Sponsor: Sen. Gerald Allen

### If the Amendment Is Approved

If a majority of voters vote “yes,” all of Alabama’s local school boards would have to adopt policies requiring public K-12 schools to broadcast or perform the first stanza of “The Star-Spangled Banner” at least once per week during school hours.

### If the Amendment Is Not Approved

If a majority of voters vote “no,” Alabama local school boards would not be required to adopt a policy requiring a weekly performance of the Star-Spangled Banner during school hours.

### Discussion

Written in 1814 and recognized as the national anthem in 1931, “The Star-Spangled Banner” consists of four stanzas, but only the first, beginning with “O say can you see” and ending with “and the home of the brave,” is commonly performed.

Current Alabama law neither prohibits schools from playing the national anthem nor requires them to do so. A “no” vote would leave schools free to decide whether to play the anthem. A “yes” vote would require school systems to make it mandatory. Board policies would have to use a recording of the first stanza archived by the Library of Congress, or could instead allow live performances by school-sanctioned bands, choirs, vocal groups or vocalists using original sheet music from the Library of Congress archive.

Amendment 4 does not require system policies to include any rules for student participation, such as singing or standing, and under U.S. Supreme Court precedent,

public schools cannot compel students to participate in patriotic exercises.

The amendment also does not specify a day or time for the anthem to be played. Sen. Gerald Allen, the amendment's sponsor, described it at a February committee hearing as a "very simple bill" under which local superintendents and school boards would develop specific policies.

Allen has filed versions of the proposal in every regular legislative session since 2020. In findings accompanying the amendment, the Legislature declared it "imperative" for students to be exposed to the "history and inspiration" provided by the anthem. Speaking on the Senate floor March 3, Allen said the amendment would help celebrate the 250th anniversary of the United States.

During legislative debate, some lawmakers objected to placing the requirement in the state constitution rather than in state law. Unlike a statute, which lawmakers can change or repeal by a majority vote, a constitutional amendment can be changed only through another amendment, which requires a three-fifths vote in both chambers of the Legislature and approval from voters.

Alabama would not be the first state to require the anthem in schools. Arkansas, for example, requires schools to play it at least once a week under a 2021 law, as well as at the start of school sporting events. Other states, including Wisconsin, Idaho, and Pennsylvania, require schools to offer either the anthem or the Pledge of Allegiance each school day.



# Public Affairs Research Council of Alabama

## WHO WE ARE

The Public Affairs Research Council of Alabama, PARCA, is Alabama’s trusted source for non-partisan, non-ideological research, founded in 1988 by former Governor Albert Brewer.

## WHAT WE BELIEVE

State and community leaders make better-informed decisions when provided with unbiased, non-partisan data and resources about the topics they care about the most.

## HOW WE WORK

We conduct *non-ideological research* on issues affecting the people of Alabama so state and community leaders, and others, can make better-informed decisions based on facts, not rhetoric.

We *independently evaluate* the efficacy of public programs and nonprofit services.

We offer technical and research assistance for public and nonprofit partners to help them integrate the use of *accurate data* into their work.

We engage in *meaningful dialogue* with state and community leaders and others on the topics Alabamians care about the most.

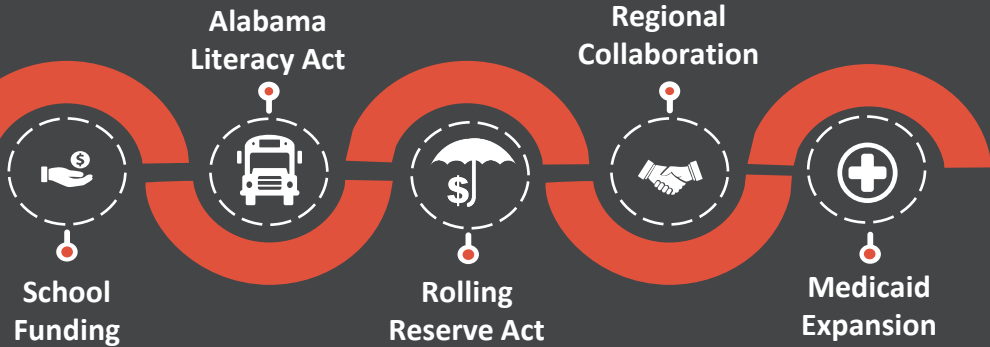
## WHY WE MATTER

Good leaders use good information to make sound policies. This is what PARCA provides: trustworthy, non-ideological data, policy research, and evaluation so that public decisions might be made, and public money, both tax dollars and charitable donations, might be spent, informed by fact, not rhetoric.



### Major Projects

PARCA’s research informs major policy debates of the day and is relied upon by policymakers and policy organizations across the political spectrum.



### CONTACT US



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