



STATE OF GEORGIA

OFFICE OF THE GOVERNOR

Sonny Perdue
GOVERNOR

FACT SHEET

Faith and Family Services Amendment

- Georgia's Constitution currently provides that "[n]o money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect, cult, or religious denomination or of any sectarian institution." Ga. Const. art. I, § II, VII. This section has roots in anti-Catholic bigotry from the mid 1800's.
- Georgia's Constitution presents an even higher barrier to faith-based initiatives than the First Amendment to the U.S. Constitution. Georgia Attorneys General and the courts have interpreted Georgia's Constitution to prohibit the following faith-based initiatives. In each case, the initiative likely would have been permissible under the First Amendment:
 - ✓ The provision of "Reading Challenge" grants to sectarian schools. 2000 Ga. Op. Att'y Gen. No. 00-5 (May 18, 2000).
 - ✓ A contract between the City of La Grange and the Salvation Army to "handle charitable cases for the city." *Bennett v. City of La Grange*, 153 Ga. 428, 112 S.E. 482 (1922).
 - ✓ "a county contracting with the Y.M.C.A. to provide recreational facilities and programs for the children of a particular county" [T]he Y.M.C.A. would be an inappropriate party to such a contract . . . since the Y.M.C.A. is probably a sectarian institution" 1969 Ga. Op. Att'y Gen. No. 69-136 (Mar. 25, 1969).
- The text Governor Perdue is proposing to add to the Georgia Constitution is very simple: "except as permitted or required by the United State Constitution, as amended."
- This revision puts the Georgia Constitution in line with the U.S. Constitution.
- The U.S. Supreme Court has ruled that the U.S. Constitution allows for faith-based providers of human services.
- This revision to Georgia's Constitution would allow the state to fund the best providers of human services.
- As required by the First Amendment to the U.S. Constitution, taxpayer money will be used for secular purposes and not for religious purposes and activities.
- Revising Georgia's Constitution eliminates the threats of expensive lawsuits and removes the barriers to finding quality services for people in need.