

SESSION OF 2013

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2037**

As Recommended by House Committee on  
Federal and State Affairs

**Brief\***

HB 2037 would add a statutory provision concerning historic and religious displays on public property defined as any state and municipal buildings and properties.

First, the bill would allow the display of historic artifacts, monuments, symbols, and texts, including religious materials, in public schools. Any such display would be required to:

- Comply with existing legal precedents;
- Be connected with a course of study that is academic, balanced, objective, not devotional in nature; and
- Not favor or disfavor a particular religion or religious belief.

Second, the bill would allow the display of historic artifacts, monuments, symbols, and texts, including religious materials, in public buildings and on public properties. Any such display would be required to be:

- Displayed in a balanced, objective, and not solely religious manner;
- Displayed in a manner that does not favor or disfavor religion generally;

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- Displayed in a manner that neither favors or disfavors any religious belief; and
- Displayed in a manner that promotes the display of Kansas historic, cultural, political, and general heritage and achievements.

### **Background**

Representative Don Schroeder testified as a proponent of the bill. Mark Tallman, Associate Executive Director for Advocacy for the Kansas Association of School Boards, also was a proponent of the bill at the House Committee hearing.

According to the fiscal note provided by the Division of the Budget, the bill might result in the filing of more court cases and appeals related to the display of religious images. There would be a resulting increased cost related to any processing, researching, and hearing these cases. The Judicial Branch was unable to give a precise estimate of the fiscal effect of the bill. Any fiscal effect associated with the bill is not reflected in *The FY 2014 Governor's Budget Report*.