

Sponsored by

David E. Smith, 11th District

Co-Sponsored by

Brent Woods, 3rd District

A RESOLUTION urging the Illinois delegation to the United States Congress to sponsor the Parental Rights Amendment to the States for ratification.

WHEREAS the right of parents to direct the upbringing and education of their children is a fundamental right protected by the Constitutions of the United States and the State of Illinois;

WHEREAS our nation has historically relied first and foremost on parents to meet the real and constant needs of children;

WHEREAS the interests of children are best served when parents are free to make childrearing decisions about education, religion, and other areas of a child's life without state interference;

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

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

WHEREAS this decision has created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of the several States;

WHEREAS, Senator James DeMint of the State of South Carolina and Representative Trent Franks of the State of Arizona have introduced in the United States Congress an Amendment to the United States Constitution to prevent erosion of the enduring American tradition of treating parental rights as fundamental rights:

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

SECTION TWO: Neither the United States nor any State shall infringe upon this right without demonstrating that its