

SENATE BILL NO. 407

INTRODUCED BY B. PHALEN, V. RICCI, M. YAKAWICH, B. LER, B. USHER, T. TEZAK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING EDUCATION LAWS; PROVIDING THAT CERTAIN FLAGS, BANNERS, AND SYMBOLS ARE PROHIBITED ON SCHOOL PROPERTY; DEFINING "SYMBOL"; REQUIRING THE DISPLAY OF THE NATIONAL MOTTO "IN GOD WE TRUST" IN EACH PUBLIC SCHOOL BUILDING AND CLASSROOM; PROVIDING SPECIFICATIONS FOR THE TEXT AND THE DISPLAY OF THE NATIONAL MOTTO; AUTHORIZING A DISTRICT TO SPEND ITS OWN FUNDS OR DONATED FUNDS TO PROVIDE THE DISPLAYS OR TO ACCEPT DONATED DISPLAYS; EXCLUDING THE DISPLAY OF THE NATIONAL MOTTO FROM THE PROHIBITION AGAINST DISTRIBUTION OF SECTARIAN OR DENOMINATIONAL PUBLICATIONS IN A PUBLIC SCHOOL; AMENDING SECTION 20-7-112, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Certain flags and symbols on school property prohibited. (1) A flag, banner, or other symbol or seal representing or promoting a social cause, political activism, or social activism may not be displayed in a public school building or on public school property.

(2) Nothing in subsection (1) may be construed to prohibit the display of official flags, banners, or other symbols or seals of the United States, the state of Montana, or the United States armed forces as defined in 10-2-802.

(3) As used in this section, the following definitions apply:

(a) (i) "Public school building" or "public school property" means public land, fixtures, buildings, or other property owned or occupied by an institution for the teaching of children that is established and maintained under state law at public expense.

(ii) The term includes school playgrounds, school steps, parking lots, administration buildings, athletic facilities, gymnasiums, locker rooms, and school buses.

(b) (i) "Symbol" means an object or conventional sign having political, cultural, or social

1 significance and the capacity to excite or objectify a response.

2 (ii) The term does not include historical writings or documents, such as the ten commandments
3 and those described in 1-1-540.

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5 NEW SECTION. **Section 2. Required display of "in God we trust".** (1) The trustees of a school
6 district shall display the national motto of "in God we trust" in each school building and in each classroom of
7 each school in the district.

8 (2) The motto must be displayed on a poster, framed document, or plaque that is a minimum size
9 of 8 inches by 10 inches. The text of the motto, "in God we trust", must be the central focus of the poster,
10 framed document, or plaque and must be printed in a large, easily readable font.

11 (3) A school district is authorized to spend its funds to purchase displays. A school district may
12 accept donated funds to purchase displays and may accept donated displays.

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14 **Section 3.** Section 20-7-112, MCA, is amended to read:

15 **"20-7-112. Sectarian publications prohibited -- religious materials allowed -- prayer permitted.**

16 (1) (a) A publication of a sectarian or denominational character may not be distributed in any school. Instruction
17 may not be given advocating sectarian or denominational doctrines.

18 (b) This subsection (1) does not prohibit:

19 (i) a school library from including the Bible or other religious material having cultural, historical, or
20 educational significance;

21 (ii) the display of the national motto "in God we trust" in each classroom as required by [section 2];

22 ~~(ii)(iii)~~ a pupil from reading from the Bible or other religious material during free reading time; or

23 ~~(iii)(iv)~~ a student from initiating or participating in a conversation about religion, religious beliefs, or
24 religious practices. with another student or a teacher.

25 (c) If a school, class, or course has requirements for self-selected reading, a pupil must be allowed
26 to read from the Bible or other religious material to meet those requirements.

27 (2) Prayer is permitted in a school, on school grounds, and at school-sponsored events, but a
28 person may not be compelled to pray. The school day may begin with a prayer."

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2 NEW SECTION. **Section 4. Codification instruction.** [Sections 1 and 2] are intended to be codified
3 as an integral part of Title 20, chapter 7, part 1, and the provisions of Title 20, chapter 7, part 1, apply to
4 [sections 1 and 2].

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6 NEW SECTION. Section 5. Severability. If a part of [this act] is invalid, all valid parts that are

7 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,

8 the part remains in effect in all valid applications that are severable from the invalid applications.

10 NEW SECTION. Section 6. **Effective date.** [This act] is effective July 1, 2025.

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