

42.705 Legislative findings and declarations -- Display of historic religious and nonreligious artifacts, monuments, symbols, and texts in public buildings and on public property owned by the Commonwealth.

The General Assembly hereby finds and declares as follows:

- (1) The Commonwealth's public buildings and their surrounding grounds provide Kentucky's citizens and others a place at which they may conduct public business, visit and interact with government officials, and learn about the Commonwealth's history and government;
- (2) The Commonwealth's public buildings and public properties are themselves important symbols of Kentucky's history;
- (3) Whether it be former battlegrounds, Native American sites, parks, recreation areas, historic government sites, homes of famous Kentuckians, or any other site of interest, without historic artifacts, monuments, symbols, and texts on the properties and in the buildings, most persons would not even know of the significance of the site or building;
- (4) Kentucky is justly proud of its history, as the past is the prologue to how we live today, how our government functions, and what things we hold to be important to us;
- (5) It is not in Kentucky's best interest to hide its heritage or traditions, or the beliefs or deeply held opinions of its citizens;
- (6) It is in Kentucky's best interest that its public buildings and public properties reflect the Commonwealth's rich history by exhibiting items of significance to Kentucky's civic and cultural development;
- (7) The display of historic artifacts, monuments, symbols, and texts in and on the grounds of Kentucky's public buildings and public properties promotes its citizens' awareness of their common history and an appreciation of the persons and events contributing to that history;
- (8) The free exercise of religion, as well as the right to have no religion, is a right guaranteed by the Constitution of the United States and the Constitution of Kentucky;
- (9) The right of the people to express themselves is enshrined in the freedom of speech guaranteed by the Constitution of the United States and the Constitution of Kentucky;
- (10) While the authors of the Constitution of the United States and the Constitution of Kentucky were guaranteeing the free exercise of religion and prohibiting the establishment of a state-sponsored religion, these same authors and the public officials of that date publicly and regularly proclaimed a belief in a supreme being, prayed openly, and placed religious-based statements and symbols in and on their public buildings and properties, and that tradition has continued unbroken to this day;
- (11) The free exercise of religion, in all of its myriad expressions, is a significant component of Kentucky's historical heritage and may be acknowledged as such;
- (12) Historic artifacts, monuments, symbols, and texts, including but not limited to religious materials, may be displayed in Kentucky's public schools, within the

framework of applicable legal precedents, if they are displayed in connection with a course of study that is academic, balanced, objective, and not devotional in nature, and that neither favors nor disfavors religion generally or any particular religious belief; and

- (13) Historic artifacts, monuments, symbols, and texts, including but not limited to religious materials, may be displayed in Kentucky's public buildings and on Kentucky's public properties if they are displayed in a:
- (a) Balanced, objective, and not solely religious manner;
 - (b) Manner that neither favors nor disfavors religion generally;
 - (c) Manner that neither favors nor disfavors any religious belief; and
 - (d) Manner which promotes the display of Kentucky's historic, cultural, political, and general heritage and achievements.

Effective: March 24, 2006

History: Created 2006 Ky. Acts ch. 34, sec. 1, effective March 24, 2006.