

HOUSE BILL 1472

P1

5lr2336

By: **Delegates Metzgar and McComas**

Introduced and read first time: February 7, 2025

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – State House Trust – Ten Commandments Monument**
3 **Display Act**

4 FOR the purpose of requiring a certain Ten Commandments Monument to be placed on the
5 grounds of the Maryland State House; requiring the Commission on Artistic Property
6 to oversee the care and maintenance of the monument; establishing the Commission
7 on the Ten Commandments Monument; and generally relating to a Ten
8 Commandments Monument.

9 BY repealing and reenacting, without amendments,
10 Article – State Government
11 Section 9–1016 and 9–1021
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2024 Supplement)

14 Preamble

15 WHEREAS, The Ten Commandments, found in the Bible at Exodus 20:1–17 and
16 Deuteronomy 5:6–21, are an important component of the moral foundation of the laws and
17 legal system of the United States of America and of the State of Maryland; and

18 WHEREAS, The courts of the United States and various states frequently cite the
19 Ten Commandments in published decisions; and

20 WHEREAS, In 2005, the U.S. Supreme Court recognized that it is permissible to
21 display the Ten Commandments on government property in *Van Orden v. Perry*; and

22 WHEREAS, In 2019, the U.S. Supreme Court further recognized that the Ten
23 Commandments “have historical significance as one of the foundations of our legal system”,
24 in *American Legion v. American Humanists Association*, and the court also ruled that the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 displaying of the Ten Commandments on public property may have “multiple purposes”
2 such as “historical significance” and represents a “common cultural heritage”; and

3 WHEREAS, Recognizing the historical role of the Ten Commandments accords with
4 our nation’s history and faithfully reflects the understanding of the founders of our nation
5 with respect to the necessity of civic morality to a functional self–government; history
6 records that James Madison, the fourth President of the United States, stated that “[w]e
7 have staked the whole future of our new nation...upon the capacity of each of ourselves to
8 govern ourselves according to the moral principles of the Ten Commandments”; and

9 WHEREAS, In order that they may understand and appreciate the basic principles
10 of the American system of government, the people of the United States and the State of
11 Maryland need to identify the Ten Commandments, one of many sources, as influencing
12 the development of what has become modern law; and

13 WHEREAS, The placing of a monument to the Ten Commandments on the grounds
14 of the Maryland State House would help the people of the United States and the State of
15 Maryland to know the Ten Commandments as the moral foundation of the law; and

16 WHEREAS, It is the Legislature’s intent to apply the decision set forth by the U.S.
17 Supreme Court in *Van Orden v. Perry*, to continue the rich tradition and ensure that the
18 citizens of our State may understand and appreciate the foundational documents of our
19 State and national government, and that in the placing of a monument to the Ten
20 Commandments on the grounds of the Maryland State House would help the people of the
21 United States and the State of Maryland to recognize the Ten Commandments as the moral
22 foundation of the law; now, therefore,

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 **Article – State Government**

26 9–1016.

27 In this Part II of this subtitle, “Commission” means the Commission on Artistic
28 Property.

29 9–1021.

30 (a) (1) The Commission is the official custodian of all valuable paintings and
31 other objects of decorative art owned by or loaned to the State, except those located in a
32 State room of the Government House. With respect to the objects subject to its official
33 custody, the Commission shall:

34 (i) keep a continuing inventory of the objects; and

1 (ii) be responsible for and supervise the acquisition, custody, display,
2 location, preservation, proper care, security, and restoration of the objects.

3 (2) At such time as the State acquires the Peabody Art Collection from the
4 Peabody Institute, the Commission shall become the official custodian of the Collection.

5 (3) In exercising its custodial responsibilities, the Commission may loan
6 objects owned by the State to qualified institutions and may contract with such institutions
7 for the performance of curatorial services.

8 (b) (1) Each person or agency that desires to acquire a painting or object of
9 decorative art for display in or on the premises of any State building, except in a room of
10 the Government House, must receive both prior approval and final acceptance from the
11 Commission.

12 (2) Before giving prior approval or final acceptance in accordance with this
13 subsection, the Commission shall consider:

14 (i) the competence of the artist;

15 (ii) the proposed location of the object; and

16 (iii) the quality, historical significance, and appropriateness of the
17 work.

18 (c) This subtitle does not apply to artwork acquired through the Maryland Public
19 Art Initiative Program established under Title 4, Subtitle 6 of the Economic Development
20 Article.

21 SECTION 2. AND BE IT FURTHER ENACTED, That:

22 (a) (1) A suitable monument of the Ten Commandments shall be placed on the
23 grounds of the Maryland State House.

24 (2) The monument shall contain the following text:

25 "The Ten Commandments

26 I AM the LORD thy God.

27 Thou shalt have no other gods before me.

28 Thou shalt not make to thyself any graven images.

29 Thou shalt not take the Name of the Lord thy God in vain.

30 Remember the Sabbath day, to keep it holy.

31 Honor thy father and thy mother, that thy days may be long upon the land which the

32 Lord thy God giveth thee.

33 Thou shalt not kill.

34 Thou shalt not commit adultery.

35 Thou shalt not steal.

1 Thou shalt not bear false witness against thy neighbor.

2 Thou shalt not covet thy neighbor's house.

3 Thou shalt not covet thy neighbor's wife, nor anything that is thy neighbor's.".

4 (b) The Commission on Artistic Property shall oversee the care and maintenance
5 of the monument of the Ten Commandments after the monument is placed on the grounds
6 of the Maryland State House.

7 (c) This section may be cited as the Ten Commandments Monument Display Act.

8 SECTION 3. AND BE IT FURTHER ENACTED, That:

9 (a) There is a Commission on the Ten Commandments Monument.

10 (b) (1) The Commission consists of the following members:

11 (i) two members appointed by the President of the Senate;

12 (ii) two members appointed by the Speaker of the House; and

13 (iii) three members appointed by the Governor.

14 (2) Individuals appointed to the Commission under paragraph (1) of this
15 subsection must have training, expertise, or special interests that will benefit the purposes
16 of the Commission.

17 (c) The Governor shall designate the chair of the Commission.

18 (d) The Division of Historical and Cultural Programs in the Department of
19 Planning shall provide staff for the Commission in consultation with other appropriate
20 agencies, including the State House Trust, the Maryland State Arts Council, and the
21 Department of General Services.

22 (e) A member of the Commission:

23 (1) may not receive compensation as a member of the Commission; but

24 (2) is entitled to reimbursement for expenses under the Standard State
25 Travel Regulations, as provided in the State budget.

26 (f) The Commission shall:

27 (1) as soon as practicable, but not later than December 31, 2025, develop
28 and implement a process for the design, construction, and placement of a monument of the
29 Ten Commandments on the grounds of the Maryland State House by a private entity at no
30 cost to the State;

1 (2) advise the Governor, the General Assembly, and State agencies on
2 matters relating to the monument;

3 (3) perform other duties necessary to approve the design and site selection
4 for the monument, including arranging for placement of the monument in a location where
5 there are no other monuments; and

6 (4) complete all of its duties by June 30, 2027.

7 (g) In the event that the legality or constitutionality of the monument under this
8 section is challenged in a court of law, the Attorney General may:

9 (1) prepare and present a legal defense of the monument; or

10 (2) request the assistance of a nonprofit legal organization that specializes
11 in First Amendment cases to prepare and present a legal defense of the monument.

12 (h) The placement of the monument may not be construed to mean that the State
13 favors any particular religion or denomination over others.

14 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2025. Section 3 of this Act shall remain effective for a period of 3 years and, at the end of
16 June 30, 2028, Section 3 of this Act, with no further action required by the General
17 Assembly, shall be abrogated and of no further force and effect.