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Baltimore and Howard Counties

Health and Government Operations Committee

Subcommittees
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SUPPORT

HB181 - Declaration of Rights - Religious Freedom, Religious Tests, and Oaths and Affirmations

February 1, 2022

Chair Pendergrass, Vice-chair Pena-Melnyk, and Member of the Committee.

Should it be surprising that a document with origins in the 1777 Maryland Declaration of Rights, that was written in 1781, has gone through a couple of rewrites, and been amended multiple times, is in need of additional correction? It should not be. After all, when you know better, you do better. Or at least you should.

HB181 offers a constitutional amendment which, subject to voter approval, updates the language in the Maryland Constitution to reflect the equal treatment under the law to which Maryland and Marylander's purport to subscribe, (re)establishing the constitutional underpinnings to support our current laws.

Specifically, it deletes language in Articles 37, 37, and 39 to clarify that religious freedom is not reserved for followers of Abrahamic religions, or of any other defined religion. But that it equally conferred to believers in God, a god, gods, non-gods, no god, and in nothing or no one at all.

It also substitutes gender-neutral language to clarify that references to the rights and responsibilities are understood, and intended in 2022, to apply equally across genders.

It is important to fix this archaic language so that the fact of its existence does not become the legal justification for invalidation of statute, undermining of legislative intent, or denial of rights or freedoms.

I request a favorable report.