

1 SENATE BILL NO. 298

2 INTRODUCED BY K. REGIER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A RIGHT OF CONSCIENCE IN PUBLIC
5 ELEMENTARY AND SECONDARY EDUCATION; ALLOWING A PUBLIC SCHOOL EMPLOYEE TO REFUSE
6 TO TEACH OR PARTICIPATE IN A CURRICULUM CONTRARY TO THE EMPLOYEE'S CONSCIENCE; AND
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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11 **NEW SECTION. Section 1. Public education right of conscience.** (1) An employee at a public
12 elementary or secondary school in the state may not be required to teach or participate in a curriculum or parts
13 of a curriculum that is contrary to the employee's conscience. Nothing in this section gives the employee a right
14 to discriminate on the basis of race, color, sex, marital status, age, creed, religion, physical or mental disability,
15 or national origin.

16 (2) A refusal to teach or participate in a curriculum may not be used as grounds to harass, demote, or
17 dismiss an employee who refuses to teach or participate as a right of conscience.

18 (3) A school district official who harasses, demotes, or dismisses an employee in violation of
19 subsection (2) is guilty of a misdemeanor and shall be fined an amount not to exceed \$500.

20 (4) For the purposes of this section, "conscience" means a sincerely held set of moral convictions
21 arising from:

- 22 (a) a belief in and relation to God;
23 (b) a religious faith or spiritual practice; or
24 (c) a moral philosophy or ethical position, without regard to whether the philosophy or position is
25 related to a religious faith.

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27 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an
28 integral part of Title 20, chapter 4, and the provisions of Title 20, chapter 4, apply to [section 1].

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2 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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