

SB 115: Religious Exemption to the State Loyalty Oath

Background:

- The loyalty oath in its current form was added to the state constitution in 1952 at the height of the McCarthy era. Portions of the oath have previously been declared unconstitutional.
- Currently, there are well-qualified and loyal citizens who are being denied employment by the state because their religious convictions preclude them from signing the oath.
 - EXAMPLE: In 2008, two Quaker professors were fired from their positions in the California State University system, because they could not – in good conscience and without mental reservation - sign the oath as it was written.

What this bill does:

- This bill provides for a religious exemption to the loyalty oath required of all public employees.
- If an individual is precluded from signing the loyalty oath because of his or her religious, moral or ethical beliefs, he or she would be provided with an alternative statement to sign.
- This alternative statement would both accommodate the employee's religious beliefs and affirm the employee's commitment to uphold both the U.S. and California Constitution and its laws.

Why we need this bill:

- This bill protects freedom of religion: Individuals should not be required to sign an oath that conflicts with their religious convictions simply to obtain public employment in the state of California.
- This bill presents a win-win situation: it protects the religious freedom of individuals while ensuring that public employees are committed to upholding our laws and Constitution.
- All Californians benefit because our state will have access to the talents of all qualified applicants and employees.

What you can do:

- 1) Sign up for FCL's Action Alerts at FCLCA.org.
- 2) Sign a letter to Gov. Schwarzenegger asking him to sign the bill.
- 3) Contact your legislators; write a letter to the editor; ask friends and local groups to write.