

HOUSE JOINT RESOLUTION NO. HJ0010

Education-judicial review.

Sponsored by: Representative(s) Nicholas

A BILL

for

1 A JOINT RESOLUTION proposing to modify standards for
2 judicial review relating to education funding.

3

4 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*
5 *two-thirds of all the members of the two houses, voting*
6 *separately, concurring therein:*

7

8 **Section 1.** The following proposal to amend Wyoming
9 Constitution, Article 7, Section 9 is proposed for
10 submission to the electors of the State of Wyoming at the
11 next general election for approval or rejection to become
12 valid as a part of the Constitution if ratified by a
13 majority of the electors at the election:

14

15 **Article 7, Section 9. Taxation for schools.**

16

1 (a) The legislature shall make such further provision
2 by taxation or otherwise, as with the income arising from
3 the general school fund will create and maintain a thorough
4 and efficient system of public schools, adequate to the
5 proper instruction of all youth of the state, between the
6 ages of six and twenty-one years, free of charge; and in
7 view of such provision so made, the legislature shall
8 require that every child of sufficient physical and mental
9 ability shall attend a public school during the period
10 between six and eighteen years for a time equivalent to
11 three years, unless educated by other means.

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13 (b) Notwithstanding any other provision of this
14 constitution, absent proof that the legislature has failed
15 to provide a thorough and efficient system of public
16 schools as required by this section, any finance system for
17 public schools adopted by the legislature shall be presumed
18 to be valid and a rational basis standard of review shall
19 be employed in any judicial proceeding to review the
20 constitutionality of the school finance system.

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22 **Section 2.** That the Secretary of State shall endorse
23 the following statement on the proposed amendment:

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1 This amendment would require greater judicial deference
2 when reviewing challenges to legislative enactments related
3 to the school finance system.

4

5

(END)