

AN EDUCATIONAL UPDATE FROM
THE SOUTHEAST LAW INSTITUTE™, INC.

To: Interested Persons
Date: January 2018
From: A. Eric Johnston
Re: The 2018 Alabama General Legislative Session Begins January 9

In election years, the Legislature goes into session one month early. This gives legislators extra time to campaign. This year, we are expecting the legislative session to finish by the end of March. This means a great deal will be compressed into a relatively short period of time. The session may not even use up all of its legislative days. It will be necessary to do budgets and other mandatory things. The attitude seems to be that anything contentious or time consuming will not make it through. There are several issues with which we will be concerned. SLI will be providing expert testimony and advice to legislators and parties involved on these and other issues. We will be on the watch out for bills that may adversely affect religious freedom and the family. Please pray for our efforts.

DAYCARE LEGISLATION

Last year's session was extremely contentious with efforts to license church daycare ministries. Proponents of the legislation refused to cooperate with churches in achieving an agreeable compromise. We understand they intend to push their same licensure bill again this year. We have reached out to them to work with the churches, but they have refused to do so. We expect that attitude to carry into the session.

To protect the religious sanctity of church ministry, we were asked to prepare possible legislation that will update the 1981 law that exempted church daycare ministries from licensure. This bill would protect the health and safety of young children. It is stronger than the proposed compromise version last year. It should be acceptable to the advocates of licensure and the Department of Human Relations. We doubt it will be, because their goal is licensure and not reasonable regulation. The catalyst for this is a 2014 federal law providing millions of dollars to states (\$92,297,586 to Alabama in 2016) to license all daycare operations, including those of churches. It is the money driving the issue and not the protection of children. Those behind the licensure effort are dishonest and disingenuous in their efforts. If they were otherwise, they would work with churches to come up with reasonable regulation.

We will be doing everything we can to protect religious freedom. The Alabama Religious Freedom Amendment offers significant protection. We recognize the state has a compelling interest to protect young children, but that interest can be achieved in a less burdensome way than licensure and pervasive oversight.

SANCTITY OF LIFE

Three bills and one resolution are being proposed by the Alabama Pro-Life Coalition:

- Abortion Related Infection Reduction Act – This bill proposes that all tissue from an abortion be examined by a certified pathologist. This is to determine if any tissue is left in the patient, which could result in infection or death. It is also a check and balance to be sure all abortions and the terms of aborted pregnancies are reported
- Abortion Consumer Protection Act – There are reports that abortion clinics do not return fees to women who decide against abortion. The Woman's Right to Know Act requires a waiting period. As an encouragement to women to change their mind, they need to be refunded fees, usually charged in advance. Abortion clinics should not place women in the position of losing their money if they choose not to have the abortion.
- Prenatal Hospice Information Act – We are all familiar with hospice for the elderly and infirm. But, did you ever think about the difficult situation that a young family goes through when they know that their child has died in utero or will be stillborn? Families need resources to deal with this unfortunate loss of life.
- Crisis Pregnancy Center Resolution – A resolution recognizing the good work of CPCs was last done in 2011. CPCs are on the frontline of protecting unborn children and meeting the needs of women caught in crisis pregnancies. Encouragement to them by our legislators is important.

GAMBLING

While a lottery proposal is a perennial favorite of some legislators, we are hopeful that in this election year it will not be tried. Also, last year there was a failed effort to legalize daily fantasy sports. Thousands of people participate in this type of gambling on fantasy professional sports teams. Originally, season long fantasy sports were played and it involved a requisite amount of skill. However, daily fantasy sports do not have long-term involvement, strategy and other skill factors. It is based mainly on chance. It has become a favorite pastime of college students and others who can ill afford gambling, not to mention the detrimental effect it has on families.