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*“The more profoundly we study this wonderful book, and the more closely we observe its divine precepts, the better citizens we will become and the higher will be our destiny as a nation.”*  
**President William McKinley, in respect to the Bible**

**California Assembly Passes Bill That Stifles First Amendment**

The California Assembly passed a bill this week which presents serious threats to First Amendment rights. [Assembly Bill 2943](#) was introduced as an amendment to a current California law which is intended to protect consumers against fraudulent business practices. However, the “business practice” which is banned by AB 2943 is anything which encourages “sexual orientation change efforts.” As [defined by the bill](#), this “includes efforts to change behaviors or gender expressions, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same sex.” The language in the bill is broad enough to offer [no specific indication](#) of what might happen to the myriad of religious books, counseling, and other consumer services that follow and share a Biblical view of sexuality and marriage. Furthermore, the bill offers no religious exemption for pastors, churches, colleges, or schools. Many conservative leaders and constitutionalists have expressed [grave concern](#) that the bill will cause a chilling and stifling effect on free speech and religious liberty. As David French, senior writer for *National Review* and a religious liberty attorney, explains, this bill “would actually—among other things—ban the sale of books expressing orthodox Christian beliefs about sexual morality.” Liberty Counsel founder Matt Staver also expressed the extent of the danger of this bill: “The breadth of this bill is staggering and represents the worst kinds of censoring because books and educational resources along with scientific research will be banned. The First Amendment provides no space for this kind of censorship.” A supporter of the bill, state assembly member Al Muratsuchi, spoke about these concerns during a press conference, [offering an opinion](#) which reveals the intensity of the battle faced by those seeking to protect religious freedom: “The First Amendment does not prohibit banning fraudulent conduct. The faith community, like anyone else, needs to evolve with the times.” AB 2943 is currently being considered in the state senate.

**State-Funded Preschool Growing Despite Lack in Funding**

The National Institute for Early Education Research (NIEER), based out of Rutgers University, recently released its [annual report](#) on the state of publicly funded preschool programs. In general, the report shows an increase in enrollment in state-funded preschool but a decrease in the amount of money states are spending per student on early education. In 2017, more than 1.5 million 3- and 4-year-olds were enrolled in a state-run program, with 16 states reaching more than one third of the 4-year-olds through their programs, 10 states enrolling over 50 percent, and 5 states registering over 70% of the students in the state. These percentages are up from 2002, when the NIEER first began tracking early education and only 3 states and the District of

Columbia enrolled more than 30% of 4-year-olds, and only two states reached more than 50% of early learners. The report also rates states according to ten benchmarks which examine areas such as teacher qualifications and training, curriculum, standards, and class size. The report recognizes that some of the increase in enrollment numbers could be a result of the Preschool Development Block grants established under the Obama administration. The report also points out a lack of funding from the federal government currently, leading co-author Steven Barnett to declare, “Progress on [public] early education depends now more than ever on the states.”

### **Ministerial Housing Allowance Ruled Unconstitutional by Judge**

Last week, religious freedom institute Becket Fund asked the Seventh Circuit Court to reverse an earlier decision that deemed the ministerial housing allowance to be unconstitutional. The case is seven years in the making, a continuation of efforts begun by the Freedom From Religion Foundation (FFRF) in 2011 to end the benefit enjoyed by 81% of pastors across the country. Wisconsin Judge [Barbara Crabb](#), who ruled in the case in October, 2017, stated that the housing allowance shows “a preference for ministers over secular employees” and constitutes “discriminatory treatment” that “violates the establishment clause.” The ministerial housing allowance ([26 U.S.C. Sec. 107](#)) exempts clergy from counting as gross income the value of housing provided by the congregation as compensation. The allowance, rooted in the colonial practice of protecting churches from property taxes and older than the IRS itself, became law in 1954. According to [Becket’s brief](#), “The district court’s decision would . . . have devastating practical effects on ministers and communities across the country,” adding that the allowance has long allowed clergy to “start ministries, purchase property, and help the communities they serve.” [Alliance Defending Freedom](#) is filing an amicus brief including signatures from over 5,000 pastors who support the appeal. Court hearings are expected within the year.

### **In Case You Missed It:**

[Weekly Market Update](#) provided by Jeff Beach of the [AACS Investment Team at Merrill Lynch](#)

[How Our Schools Make Monsters](#)

[Judicial Update: Senator Lankford Pushes for Gridlock Reform Rules](#)

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