



State of Wisconsin
2025 - 2026 LEGISLATURE

LRBs0055/1
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ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY JOINT RESOLUTION 10

May 20, 2025 - Offered by Representative ORTIZ-VELEZ.

- 1 ***To renumber and amend*** section 18 of article I; ***to create*** section 18 (2) of article
2 I of the constitution; **relating to:** the freedom to gather in places of worship
3 during a state of emergency and requirements concerning assistance in the
4 detention of individuals in places of worship who are or are alleged to be not
5 lawfully present in the United States (first consideration).

Analysis by the Legislative Reference Bureau

This constitutional amendment, proposed to the 2025 legislature on first consideration, provides that the state or a political subdivision of the state may not order the closure of or forbid gatherings in places of worship in response to a state of emergency at the national, state, or local level, including an emergency related to public health.

The constitutional amendment additionally provides all of the following:

1. No official, employee, or agent of the state or a political subdivision of the state, including any law enforcement officer, may aid in the detention of an individual in a place of worship if the individual is being detained on the sole basis that the individual is or is alleged to be not lawfully present in the United States.
2. Except as required pursuant to a properly executed judicial warrant, no

SECTION 1

person employed or otherwise lawfully present at a place of worship may be required to provide access to such place or otherwise aid federal officials for purposes of the detention of an individual at such place who is being detained on the sole basis that the individual is or is alleged to be not lawfully present in the United States.

A constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

Resolved by the assembly, the senate concurring, That:

SECTION 1. Section 18 of article I of the constitution is renumbered section 18 (1) of article I and amended to read:

[Article I] Section 18 (1) The right of every person to worship Almighty God according to the dictates of conscience shall never be infringed; nor shall any person be compelled to attend, erect or support any place of worship, or to maintain any ministry, without consent; nor shall any control of, or interference with, the rights of conscience be permitted, or any preference be given by law to any religious establishments or modes of worship; nor shall any money be drawn from the treasury for the benefit of religious societies, or religious or theological seminaries; nor shall the state or a political subdivision of the state order the closure of or forbid gatherings in places of worship in response to a state of emergency at the national, state, or local level, including an emergency related to public health.

SECTION 2. Section 18 (2) of article I of the constitution is created to read:

[Article I] Section 18 (2) (a) No official, employee, or agent of the state or a political subdivision of the state, including any law enforcement officer, may aid in the detention of an individual if the individual is being detained on the sole basis that the individual is or is alleged to be not lawfully present in the United States and the detention occurs in a place of worship.

(b) Except as required pursuant to a properly executed judicial warrant, no person employed or otherwise lawfully present at a place of worship may be required to provide access to such place or otherwise aid federal officials for purposes of the detention of an individual at such place who is being detained on the sole basis that the individual is or is alleged to be not lawfully present in the United States.

SECTION 3. Numbering of new provision. If another constitutional amendment ratified by the people creates the number of any provision created in this joint resolution, the chief of the legislative reference bureau shall determine the sequencing and the numbering of the provisions whose numbers conflict.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for three months previous to the time of holding such election.

(END)