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Senator Craig Brandt Introduces Legislation to Repeal Discriminatory Blaine Amendment

SANTA FE – Senator Craig Brandt (District 40-Sandoval) has introduced legislation to repeal the outdated Blaine Amendment from New Mexico’s Constitution. Senate Joint Resolution 19 (SJR 19) proposes the removal of language from Article 12, Section 3, of the Constitution – language which has been used to discriminate against religious schools and exclude them from public funding and programs.

“The Blaine Amendment arose in the late 19th century in an effort to keep Catholic influence from our schools,” said Senator Brandt. “The U.S. Supreme Court recently rejected the inherent bigotry in its application and it is time for New Mexico to do the same.”

In July 2020, the U.S. Supreme Court ruled that the U.S. Constitution “condemns discrimination against religious schools and the families whose children attend them.” In the Court’s opinion, Chief Justice John Roberts provided some historical context, noting the fact that the Blaine Amendment was “born of bigotry” and “arose at a time of pervasive hostility to the Catholic Church and to Catholics in general.”

“No school should be disqualified from funding and programs simply because they are faith-based,” added Senator Brandt. “As a state, we need to get back to funding students, rather than selectively funding institutions.”

SJR 19 was referred to the Senate Rules Committee and the Senate Judiciary Committee. If passed by the Legislature, the amendment would be submitted to the people for approval or rejection at the next general election.

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