

As Introduced

**136th General Assembly
Regular Session
2025-2026**

H. C. R. No. 9

Representatives Click, Newman

A CONCURRENT RESOLUTION

To urge the federal government to repeal the Johnson 1
Amendment and to name this resolution the Leland 2
Muhlenberg Resolution. 3

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF
OHIO (THE SENATE CONCURRING):**

WHEREAS, The First Amendment to the Constitution of the 4
United States guarantees that Congress shall make no laws 5
respecting the establishment of religion, or prohibiting the 6
free exercise thereof; and 7

WHEREAS, The United States Congress quickly adopted an 8
unvetted amendment in the Senate commonly known as the "Johnson 9
Amendment" in 1954; and 10

WHEREAS, This Senate amendment was targeted at nonprofit 11
organizations other than churches that were the political rivals 12
of Senator Lyndon B. Johnson; and 13

WHEREAS, Senator Johnson never intended to infringe on the 14
free speech of churches, synagogues, mosques, or other religious 15
organizations; and 16

WHEREAS, George W. Ranck documented the plight of pastors 17
and churches who fled from Virginia to Tennessee via Daniel 18
Boone's Wilderness Trail in search of religious freedom in "The 19
Travelling Church"; and 20

WHEREAS, Churches are tax immune in order to protect the 21
freedom of speech and the freedom of religion; and 22

WHEREAS, Many churches have chosen to register as 501(c)(3) 23
organizations for convenience; and 24

WHEREAS, The application of the Johnson Amendment to 25
churches violates the Constitution of the United States; and 26

WHEREAS, The ability to tax religious speech is the power 27
to regulate speech and religion, thereby infringing on the First 28
Amendment; and 29

WHEREAS, That thousands of pastors have self-reported 30
violations of the Johnson Amendment to the Internal Revenue 31
Service (IRS) without consequence validates the constitutional 32
fragility of the amendment; and 33

WHEREAS, The Reverend Doctor Martin Luther King Jr. 34
inaugurated the civil rights movement in the basement of the 35
Dexter Avenue Baptist Church in Montgomery, Alabama; and 36

WHEREAS, The presence of this unconstitutional language in 37
the United States Code enables opponents of the church to 38
threaten and intimidate religious bodies who chose to speak on 39
contemporary issues; and 40

WHEREAS, Lengthy and costly litigation may ensue, 41
disenfranchising churches and other religious bodies of either 42
their free speech or their scarce financial resources; and 43

WHEREAS, This unconstitutional prohibition sends a mixed 44
message to society on the role of religion in advocating for 45
good governance; and 46

WHEREAS, The church was instrumental in guiding the 47
conversations that lead to founding documents such as the 48
Mayflower Compact, the Declaration of Independence, the 49
Constitution of the United States, and the Bill of Rights; and 50

WHEREAS, A study by Donald S. Lutz demonstrates that the Scriptures were the most commonly referenced documents by the founding fathers followed by the writings of other Christian men such as Montesquieu, Blackstone, and Locke; and

WHEREAS, Benjamin Franklin called for prayer at the Constitutional Convention citing no less than fourteen passages of Scripture extemporaneously noting that the longer he has lived the more convincing proofs he sees that God intervenes in the affairs of men; and

WHEREAS, Thomas Paine appealed to Scripture in the pamphlet "Common Sense," which roused the nation to the call for independence; and

WHEREAS, Reverend Jacob Duche led the first Congress in such a powerful prayer and Scripture reading from Psalm 35 that John Adams was compelled to write to his wife, Abigail, "I never saw a greater Effect upon an Audience. It seemed as if Heaven had ordained that Psalm to be read on that Morning."; and

WHEREAS, The United States Congress has appointed chaplains for the House of Representatives and Senate from the very first Congress beginning in 1789; and

WHEREAS, George Washington stated in his farewell address that religion and morality were indispensable supports of patriotism and that in vain would a man claim the tribute of patriotism who would seek to subvert them; and

WHEREAS, Thomas Jefferson responded to the fears of the Danbury Baptist Association that government might regulate their speech, stating that, "religion is a matter which lies solely between Man & his God, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, & not opinions, I contemplate with sovereign reverence that act of the whole American people

which declared that their legislature should 'make no law 82
respecting an establishment of religion, or prohibiting the free 83
exercise thereof,' thus building a wall of separation between 84
Church & State"; and 85

WHEREAS, Thomas Jefferson, John Adams, and Benjamin 86
Franklin proposed a depiction of Moses leading the children of 87
Israel across the Red Sea as the seal of the United States of 88
America; and 89

WHEREAS, Our national motto was first found in the fourth 90
stanza of the Battle of Fort McHenry by Francis Scott Key and is 91
now nationally recognized as our National Anthem; and 92

WHEREAS, Our currency bears the motto "In God We Trust"; 93
and 94

WHEREAS, The hymn, "God of our Fathers," was selected as 95
our National Hymn on the 100th Anniversary of the United States 96
of America; and 97

WHEREAS, Abraham Lincoln appealed to the Scriptures in his 98
second inaugural address; and 99

WHEREAS, The Statue of John Peter Gabriel Muhlenberg stands 100
in the United States Capitol demonstrating the power of the 101
pulpit in the fight against tyranny and for freedom; and 102

WHEREAS, Pastor John Leland persuaded James Madison to 103
advocate for a Bill of Rights; and 104

WHEREAS, Pastor Frederick Augustus Muhlenberg was persuaded 105
to join his brother after watching churches suffer tyranny and 106
abuse; and 107

WHEREAS, Both Pastor Muhlenberg and his brother were 108
elected to the first Congress; and 109

WHEREAS, Frederick Augustus Muhlenberg was chosen as the 110

first Speaker of the House; and 111

WHEREAS, Pastor and Speaker Frederick Muhlenberg's 112
signature adorns the Bill of Rights; and 113

WHEREAS, The motto of the State of Ohio is, "With God, All 114
Things Are Possible"; and 115

WHEREAS, The preamble to the Ohio Constitution states "We, 116
the people of the State of Ohio, grateful to Almighty God for 117
our freedom, to secure its blessings and promote our common 118
welfare,"; and 119

WHEREAS, Article I, Section 7 of the Ohio Constitution 120
states that "no preference shall be given, by law, to any 121
religious society; nor shall any interference with the rights of 122
conscience be permitted."; and 123

WHEREAS, The Declaration of Independence states that we are 124
endowed with our rights not by government but by our Creator; 125
and 126

WHEREAS, The Declaration of Independence defines the 127
purpose of government, stating, "That to secure these rights, 128
Governments are instituted among Men,"; and 129

WHEREAS, The Bill of Rights prohibits the language found in 130
the Johnson Amendment, which prohibits the free exercise of 131
religion by establishing what churches may and may not do; now 132
therefore be it 133

RESOLVED, That we, the members of the 136th General 134
Assembly of the State of Ohio, urge President Donald J. Trump, 135
Vice-President and Senate President J.D. Vance, Senate Majority 136
Leader John Thune, Speaker of the House of Representatives 137
Michael Johnson, and the United States Congress to repeal the 138
Johnson Amendment, thus conforming the United States Code to the 139
First Amendment of the Bill of Rights amended into the United 140

States Constitution on December 15, 1791; and be it further 141

RESOLVED, That this resolution shall be named the Leland 142
Muhlenberg Resolution after the historic pastors without whom 143
this nation would not have secured a place in history as the 144
world leaders in freedom and liberty; and be it further 145

RESOLVED, That the Clerk of the House of Representatives 146
transmit duly authenticated copies of this resolution to the 147
President of the United States, President Pro Tempore and 148
Secretary of the United States Senate, the Speaker and Clerk of 149
the United States House of Representatives, the members of the 150
Ohio Congressional delegation, and the news media of Ohio. 151