

**LLANO COUNTY COMMISSIONERS COURT
10 COMMANDMENTS RESOLUTION**

WHEREAS, the Ten Commandments, found in the Bible and the Hebrew Torah at Exodus 20:1-17 and Deuteronomy 5:6-21, are an important component of the moral and historical foundation of the laws and legal system of the United States of America, the State of Texas and of Llano County;

WHEREAS, the courts of the United States of America and of various states have frequently cited the Ten Commandments in published decisions;

WHEREAS, numerous public buildings and public places in the United States, including the Texas State Capitol Grounds, display the Ten Commandments;

WHEREAS, the Ten Commandments represent a philosophy of government held by many of the founders of this nation and by many Texans, Llano County residents and other Americans today - that God has ordained civil governments and has endowed people with certain unalienable rights, including life, liberty, and the pursuit of happiness;

WHEREAS, in order that they may understand and appreciate the basic principles of the American system of government, the people of the United States of America, of the State of Texas and of Llano County need to identify the Ten Commandments, one of many sources, as influencing the development of what has become modern law;

WHEREAS, the placing of a monument displaying the Ten Commandments on the grounds of the Llano County Historic Courthouse would help the people of the United States, of the State of Texas and of Llano County to know that the Ten Commandments are one of the moral and historical foundations of the law; and

WHEREAS, the grounds of the Llano County Historic Courthouse contain and, in the future, may contain other monuments and items of historical significance.

NOW, THEREFORE, BE IT RESOLVED, that the Llano County Commissioners Court hereby approves (1) the design for the construction of a Ten Commandments Monument as depicted in the attached mockup image, (2) the arrangement for and placement on the grounds of the Llano County Historic Courthouse of a monument commemorating the Ten Commandments, and (3) hereby approves the donation of the monument, together with all costs of transportation and installation from private donations to the American History & Heritage Foundation (AHHF).

FURTHER, RESOLVED, that the monument commemorating the Ten Commandments shall contain the following text, which was displayed on the monument declared

constitutional by the United States Supreme Court in *Van Orden v Perry*, 545 U.S. 677 (2005).

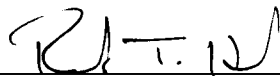
I AM the LORD thy God,
Thou shalt have no other gods before me.
Thou shalt not make to thyself any graven images.
Thou shalt not take the Name of the Lord thy God in vain.
Remember the Sabbath day, to keep it holy.
Honor thy father and thy mother, that thy days may be long upon the land which the
 Lord thy God giveth thee.
Thou shalt not kill.
Thou shalt not commit adultery.
Thou shalt not steal.
Thou shalt not bear false witness against thy neighbor.
Thou shalt not covet thy neighbor's house, Thou shalt not covet thy neighbor's wife,
 nor his manservant nor his maidservant, nor his cattle, nor anything that is thy
 neighbor's.

Presented to the People and Youth of Llano County Texas By Citizens of Llano County

FURTHER, RESOLVED, that the Commissioners Court designates Commissioners Jerry Don Moss & Brent Richards (the "Court Delegates") to arrange for the monument to be designed as approved by the Commissioners Court, constructed, and placed on the grounds of the Llano County Historic Courthouse by private persons or entities at no expense to Llano County.

FURTHER, RESOLVED, that the placement of the monument under this Resolution shall not be construed to mean that Llano County or the Commissioners Court of Llano County favors, endorses or establishes any religion.

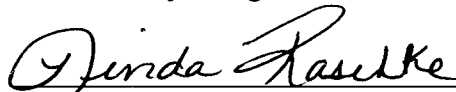
Passed and Approved this 8 day of June, 2026.



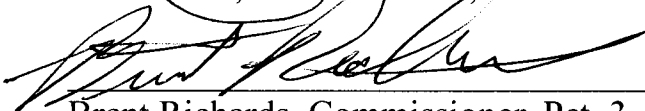
Rob T. Hardy, Llano County Judge



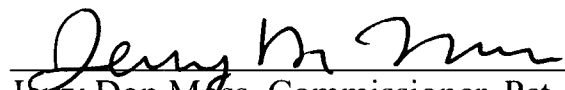
Peter Jones, Commissioner, Pct. 1



Linda Raschke, Commissioner, Pct. 2



Brent Richards, Commissioner, Pct. 3



Jerry Don Moss, Commissioner, Pct. 4

Attest: Cecilia McClintock

Cecilia McClintock, County Clerk

The American History & Heritage Foundation (“AHHF”) is a 501(c)(3) non-profit organization dedicated to educating and informing the public about American History and Heritage. In furtherance of this mission and to highlight the connection the Ten Commandments have with America’s political and legal history, AHHF seeks to donate a Ten Commandments Monument to Llano County for public display. This monument would be an exact replica to the Ten Commandments Monument currently on display since 1961 at the grounds of the Texas State Capitol, with the exception of the size in height and width, the color of the granite and who is donating the monument. In addition to the Ten Commandments monument itself, AHHF will provide either funds to the County to cover setup and related expenses or directly pay a third-party vendor for labor providing the same for the installation of the Ten Commandments Monument.

All costs for the Monument are provided through private donations to the American History & Heritage Foundation earmarked for this Monument. The cost for this monument including installation is \$13,788.00 which includes the base and monument itself. The cost for the concrete base below grade and the pavers to access the monument are estimated not to exceed \$4,000.00, for a total of \$17,788.00 which is all provided by private donations to AHHF.

I spoke with Jeremy Vick regarding the location shown in the photo in an attempt to make sure there would be no conflict with irrigation or electrical lines. This is only a suggested location should the Court approve the installation. The final location will require there are no conflicts with water or electrical lines.

Attached is a letter from First Liberty Institute which has offered to provide their legal expertise, at no charge to the County. This letter makes reference to several legal decisions concerning the Establishment Clause of the First Amendment which the Supreme Court upheld in 2005, allowing the Ten Commandments Monument to remain in place at the Texas State Capital.

For the Courts use here is a link to the US Supreme Court’s decision in 2005 upholding the installation of the Ten Commandments Monument that is currently on display on the grounds at the State of Texas Capital.

[Van Orden v. Perry | 545 U.S. 677 \(2005\) | Justia U.S. Supreme Court Center](#)



May 20, 2026

Rob T. Hardy, County Judge
Llano County
801 Ford Street, Room 101
Llano, Texas 78643

Peter R. Jones, Commissioner
Llano County, Precinct 1
P.O. Box 8759
Horseshoe Bay, Texas 78657

Linda Raschke, Commissioner
Llano County, Precinct 2
8347 RR 1431
Buchanan Dam, Texas 78609

Brent Richards, Commissioner
Llano County, Precinct 3
8347 RR 1431
Buchanan Dam, Texas 78609

Jerry Don Moss, Commissioner
Llano County, Precinct 4
752 Andy Taylor Drive, Suite B
Llano, Texas 78643

Dwain K. Rogers, County Attorney
Llano County
801 Ford Street, Suite 111
Llano, Texas 78643

Re: Proposed Resolution to Accept and Display Ten Commandments Monument on County Property

Dear Judge Hardy, Mr. Rogers, and the Llano County Commissioners Court:

We have been made aware that the Llano County Commissioners Court (the “County”) is contemplating a resolution that, if approved, would (i) accept the private donation of a Ten Commandments monument, and (ii) allow for such monument to be installed and permanently displayed on County-owned property. First Liberty Institute is confident that the proposed monument enjoys the utmost support and protection from the United States Constitution. We write to encourage the County in this endeavor, as well as offer the County our legal expertise, at no charge.

First Liberty Institute has had great success in defending religious freedom. We are dedicated exclusively to defending and restoring religious liberty for all Americans. In the last couple years alone, we have won four religious freedom cases at the U.S. Supreme Court: *Kennedy v. Bremerton School District*, 597 U.S. 507 (2022); *Carson v. Makin*, 596 U.S. 767 (2022); *Groff v. DeJoy*, 600 U.S. 447 (2023); and *Olivier v. City of Brandon*, No. 24-993, 2026 U.S. LEXIS 1272 (2026). Another of our Supreme Court victories—*The American Legion v. American Humanist Association*, 588 U.S. 29 (2019)—upheld the government display of a 32 feet tall Latin cross erected as a WWI memorial on the median of a busy public highway. Consequently, we have been entrusted by governments across the nation to help

defend Ten Commandment displays on their property, including recently erected monuments in Amarillo and Tarrant County, Texas.

No matter where in the country the Ten Commandments arise, the Constitution's decree is the same. The Establishment Clause of the First Amendment to the U.S. Constitution takes no issue with passive, religious displays like the County's proposed Ten Commandments monument, which comport with "historical practices and understandings." *Kennedy*, 597 U.S. at 535 (quoting *Town of Greece v. Galloway*, 572 U.S. 565, 576 (2014)). The public acknowledgment of the Decalogue by government bodies "fits within [a] tradition long followed," *Town of Greece*, 572 U.S. at 577, and therefore, is a constitutionally defensible practice, see *Van Orden v. Perry*, 545 U.S. 677 (2005) (preserving the Ten Commandments monument on grounds of Texas State Capitol); see also *Nathan v. Alamo Heights Independent Sch. Dist.*, No. 25-50695, 2026 U.S. App. LEXIS 11415 (5th Cir. Apr. 21, 2026) (en banc) (upholding Texas law mandating display of Ten Commandments in public school classrooms).

The Establishment Clause Must be Interpreted by Reference to History and Tradition

For decades, courts analyzed government actions triggering the Establishment Clause, including displays of religious imagery, using a test established by *Lemon v. Kurtzman*, 403 U.S. 602 (1971). Under the *Lemon* test, courts asked whether the government's actions lacked a secular purpose, appeared to advance or inhibit religion, and excessively entangled the government with religion. If so, the action was struck down. In practice, the test was detrimental to religious freedom and used to scrub public spaces of any and all religious references.

Thankfully, our victory in *Kennedy v. Bremerton School District* restored the proper understanding of the Establishment Clause and confirmed what many courts already acknowledged as true: the *Lemon* test and its progeny are dead. *Nathan*, 2026 U.S. App. LEXIS 11415, at *21; see also *Freedom From Religion Found., Inc. v. Mack*, 49 F.4th 941, 954 n.20 (5th Cir. 2022) (the *Lemon* test's "long Night of the Living Dead . . . is now over."); *Firewalker-Fields v. Lee*, 58 F.4th 104, 121 n.5 (4th Cir. 2023) ("[I]t is now clear that *Lemon* and its ilk are not good law."). Under *Kennedy*, the *Lemon* test has been replaced with an analysis based on history and tradition:

In place of *Lemon* and the endorsement test, this Court has instructed that the Establishment Clause must be interpreted by reference to historical practices and understandings. . . . The line that courts and governments must draw between the permissible and the impermissible has to accord with history and faithfully reflect the understanding of the Founding Fathers. . . . An analysis focused on original meaning and history, this Court has stressed, has long represented the rule rather

than some exception within the Court's Establishment Clause jurisprudence.

Kennedy, 597 U.S. 535–36 (citation modified); *see also id.* at 546-47 (Sotomayor, J., dissenting) (“Today[] . . . [t]he Court overrules *Lemon* . . . and replaces the standard for reviewing such questions with a new ‘history and tradition’ test.”); *Nathan*, 2026 U.S. App. LEXIS 11415, at *28 (“The analysis looks to the historical hallmarks of religious establishments”) (citation modified).

Therefore, to ascertain whether a Ten Commandments display abides by the Establishment Clause, courts must now look to whether the practice “fits within the tradition long followed” by governing bodies, *see Town of Greece*, 572 U.S. at 622, and “accord[s] with history and faithfully reflect[s] the understanding of the Founding Fathers.” *Kennedy*, 597 U.S. at 536 (citation modified); *cf. Van Orden*, 545 U.S. at 685–86 (rejecting *Lemon* and opting to apply an analysis “driven . . . by our Nation’s history). And it certainly does.

The County’s Ten Commandments Monument “Fits Within the Tradition Long Followed” by Federal, State, and Local Governments

Supported by an extensive record of Ten Commandments displays erected on government property across time and place, as well as the written proclamations admiring the Decalogue’s impact on our system of governance, the County’s proposed monument “fits within the tradition long followed” by the three branches of government at the national, state, and municipal levels, *see Town of Greece*, 572 U.S. at 622, and “accord[s] with history and faithfully reflect[s] the understanding of the Founding Fathers.” *Kennedy*, 597 U.S. at 536 (citation modified).

The United States Supreme Court has stated:

For believing Jews and Christians, the Ten Commandments are the word of God handed down to Moses on Mount Sinai, but the image of the Ten Commandments has also been used to convey other meanings. They have historical significance as one of the foundations of our legal system, and for largely that reason, they are depicted in the marble frieze in our courtroom and in other prominent public buildings in our Nation’s capital.

Am. Legion, 588 U.S. at 51–53; *accord Van Orden*, 545 U.S. at 690 (“[T]he Ten Commandments have an undeniable historical meaning”). Accordingly, it is no surprise that over the decades, thousands of monuments and displays depicting the Ten Commandments have been erected across the country at city halls, state capitols, and courthouses. In the great State of Texas, alone, there are monuments at the Texas State Capitol in Austin, Texas, the Nueces County Courthouse in Corpus

Christi, Texas, the Texas State Fair Park in Dallas, Texas, and the Tarrant County Courthouse in Fort Worth, Texas.

When the Supreme Court upheld the constitutionality of the monument at the Texas State Capitol, the Court observed that “acknowledgements of the role played by the Ten Commandments in our Nation’s heritage are common throughout America.” *Id.* at 688. Elaborating further:

We need only look within our own Courtroom. Since 1935, Moses has stood, holding two tablets that reveal portions of the Ten Commandments written in Hebrew, among other lawgivers in the south frieze. Representations of the Ten Commandments adorn the metal gates lining the north and south sides of the Courtroom as well as the doors leading into the Courtroom. Moses also sits on the exterior east façade of the building holding the Ten Commandments tablets. Similar acknowledgements can be seen throughout a visitor’s tour of our Nation’s Capital. For example, a large statue of Moses holding the Ten Commandments, alongside a statue of the Apostle Paul, has overlooked the rotunda of the Library of Congress’ Jefferson Building since 1897. And the Jefferson Building’s Great Reading Room contains a sculpture of a woman beside the Ten Commandments with a quote above her from the Old Testament (Micah 6:8). A medallion with two tablets depicting the Ten Commandments decorates the floor of the National Archives. Inside the Department of Justice, a statue entitled “The Spirit of Law” has two tablets representing the Ten Commandments lying at its feet. In front of the Ronald Reagan Building is another sculpture that includes a depiction of the Ten Commandments. So too a 24-foot-tall sculpture, depicting, among other things, the Ten Commandments and a cross, stands outside the federal courthouse that houses both the Court of Appeals and the District Court for the District of Columbia. Moses is also prominently featured in the Chamber of the United States House of Representatives. Our opinions, like our building, have recognized the role the Decalogue plays in America’s heritage.

Id. at 688–689; *see also Lynch v. Donnelly*, 465 U.S. 668, 674, 677 (1984) (“There is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life from at least 1789. . . . The very chamber in which oral arguments on this case were heard is decorated with a notable and permanent—not seasonal—symbol of religion: Moses with the Ten Commandments.”).

In summary, a cursory examination of past and current precedent is sufficient to determine that the exhibition of the Ten Commandments fits within our government’s “historical practices.” *Kennedy*, 597 U.S. at 535. Being “deeply

embedded in the history and tradition of this country,” *Marsh v. Chambers*, 463 U.S. 783, 786 (1983), the County’s proposed erection of the Decalogue comports with the “original meaning” and a “historically sensitive understanding of the Establishment Clause,” *Kennedy*, 597 U.S. at 536–37, and thus suffers no constitutional defect.

The United States Court of Appeals for the Fifth Circuit Upheld the Government Display of the Ten Commandments

While the County’s proposed monument is constitutionally defensible under *Kennedy* and its antecedents in the Supreme Court, the United States Court of Appeals for the Fifth Circuit—having jurisdiction over federal cases arising in Texas—recently upheld the government display of the Ten Commandments, providing further protection for the anticipated monument. *Nathan*, 2026 U.S. App. LEXIS 11415, at *55.

In *Nathan*, the full bench of the Fifth Circuit had the chance to opine on the constitutionality of government exhibited Ten Commandments, reviewing a Texas law that required the Decalogue to be posted in every public school classroom. Adopting *Kennedy* and *Van Orden*’s Establishment Clause analysis driven by “original meaning” and “our Nation’s history,” the court inquired into whether the law “shares the ‘hallmarks of religious establishments the framers sought to prohibit when they adopted the First Amendment,’” *id.* at *53 (quoting *Kennedy*, 597 U.S. at 537, to which the majority answered: It does not.

Plaintiffs have not identified a shred of founding-era evidence equating the government’s use of religious text, displays, or symbols with an establishment of religion. To the contrary, it appears that no one ever claimed at the founding that the display of religious symbols was a form of religious establishment. . . . Indeed, it would be a shock to discover that the Establishment Clause is implicated merely by the government’s use of religious language, imagery, or symbols. . . . In our country, religious placements dot the landscape and religious mottos, symbols, and flags adorn countless public buildings.

Nathan, 2026 U.S. App. LEXIS 11415, at *45–46.

So, the County can be assured that the decision to install and permanently display the Ten Commandments on County property benefits from the firm support of both the Fifth Circuit and the United States Supreme Court, and enjoys the full protection of the First Amendment to the U.S. Constitution.

Available Legal Representation at No Charge

Should the resolution be approved, we would be pleased to work with you and your County Attorney, at no charge, to protect the Ten Commandments monument

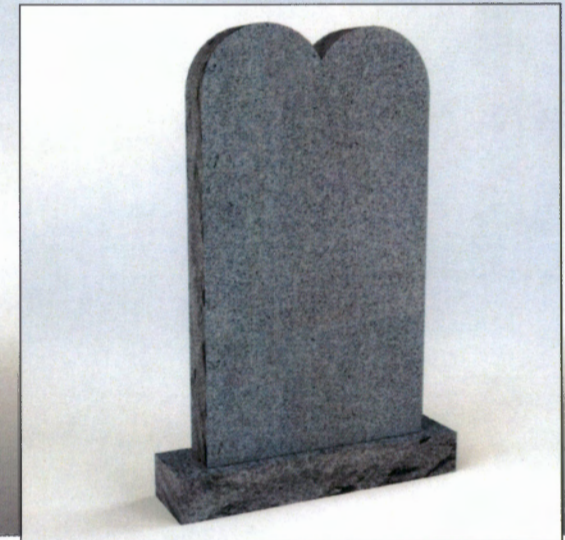
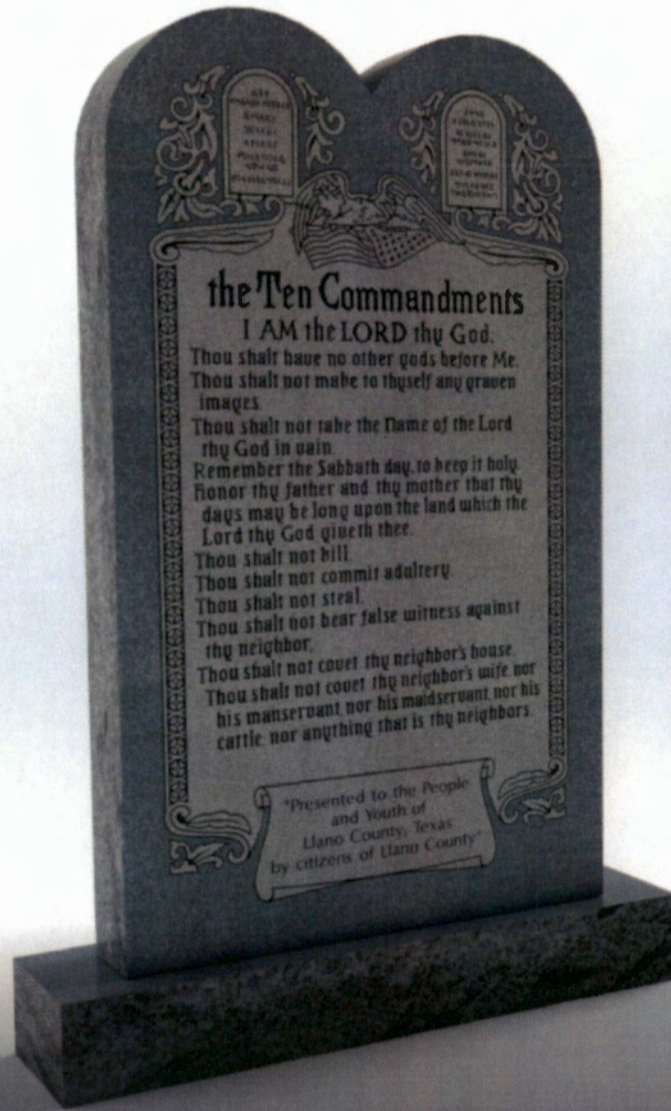
from legal challenge. In doing so, we can discuss the foregoing and other developments in the law in more detail to help clarify your rights and obligations in this effort.

Please do not hesitate to call on us if we can be of assistance with this matter or future religious freedom issues that you encounter. You may reach me at (469) 440-7581 or by email, gbell@firstliberty.org.

Sincerely yours,

A handwritten signature in black ink that reads "William G. Bell". The signature is written in a cursive style with a large initial "W".

William G. Bell
Associate Counsel
First Liberty Institute

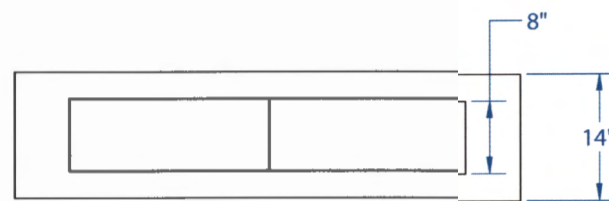
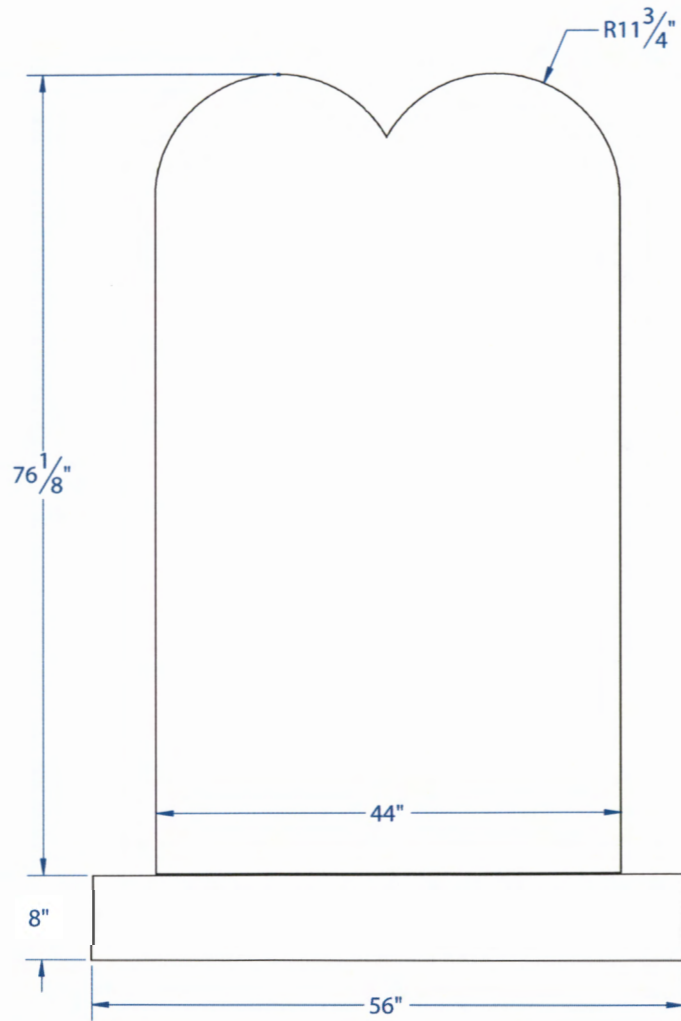


Order #: 525049-B
June 4, 2026

IF DRAWING IS APPROVED AS SHOWN PLEASE SIGN, DATE, & RETURN

SIGN: _____ DATE: _____

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the Ten Commandments

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Thou shalt have no other gods before Me.
Thou shalt not make to thyself any graven images.

Thou shalt not take the Name of the Lord thy God in vain.

Remember the Sabbath day, to keep it holy.
Honor thy father and thy mother that thy days may be long upon the land which the Lord thy God giveth thee.

Thou shalt not kill.

Thou shalt not commit adultery.

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Thou shalt not bear false witness against thy neighbor.

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