

FREEDOM FROM RELIGION *foundation*

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July 21, 2026

SENT VIA EMAIL & U.S. MAIL: statewide.accounting@cpa.texas.gov

Don Huffines
Texas Comptroller of Public Accounts
P.O. Box 13528, Capitol Station
Austin, TX 78711-3528

Re: Religious Tests for Public Office

Dear Mr. Huffines:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding constitutional violations we understand have occurred at the Office of the Texas Comptroller of Public Accounts. FFRF is a national nonprofit organization with more than 41,000 members across the country, including 1,800 members in Texas. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

It has been reported that as the incoming Comptroller of Public Accounts, you told employees your top priorities in the workplace would be “Jesus, family, and work,” and that employees would be judged on their level of Christian religious belief when you are deciding whether or not to retain them.¹ If true, this is blatantly unconstitutional, and you must immediately rescind these demands and ensure employees know there are no religious requirements to serve in your office once you take office. If you cannot do this, you should decline to accept the appointment to this office.

Article 6 of the United States Constitution prohibits the government from requiring any kind of religious test for public office. Article 1, section 4 of The Texas Constitution similarly prevents any religious tests for public office. In the bedrock case examining a requirement for an oath for public office, the U.S. Supreme Court held that “neither a State nor the Federal Government can constitutionally force a person to profess a belief or disbelief in any religion.” *Torcaso v. Watkins*, 367 U.S. 488, 495 (1961). The Court held that a requirement to do so was a violation of both the First and Fourteenth Amendments of the United States Constitution. *Id.*

The Supreme Court has long held that the “First Amendment mandates government neutrality between religion and religion, and between religion and nonreligion.” *McCreary Cnty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Ark.*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15–16 (1947). Requiring state employees to prioritize Jesus and to be a Christian to work for the

¹ <https://bit.ly/4wPRfve>.

state signals to staff and members of the public that the state of Texas prefers Christianity to other faiths and over nonbelief, sending the message to minority religious and nonreligious employees and citizens “that they are outsiders, not full members of the political community, and an accompanying message to . . . adherents that they are insiders, favored members of the political community.” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309–10 (2000) (citation omitted). This is unconstitutional.

As the Comptroller’s website states, “The Comptroller’s office serves virtually every citizen in the state.”² One third of all Texans are non-Christians, including the 26% who are religiously unaffiliated.³ These Texans may not be excluded from state employment on the basis of their religion nor coerced by your office into professing Christian religious beliefs. Any adverse actions against non-Christian employees will leave the state open to liability under federal and state employment discrimination laws.

In recognition of the state’s constitutional obligation to remain neutral toward religion, you must refrain from promoting religion within the workplace and displaying favoritism toward religious staff members. If your office is requiring or coercing staff members to affirm they are Christians or to put Jesus as their top priority as part of their employment, it must immediately end these unconstitutional practices. If you are unwilling to lead a government staff that includes non-Christians, you are not fit to hold public office and should not accept the appointment to the office of Texas Comptroller of Public Accounts.

Sincerely,

A handwritten signature in black ink that reads "Madeline Ziegler". The script is fluid and cursive, with the first name "Madeline" and last name "Ziegler" clearly legible.

Madeline Ziegler
Staff Attorney

² <https://comptroller.texas.gov/about/mission/>.

³ Pew Research Center (2024), <https://www.pewresearch.org/religious-landscape-study/state/texas/>.