

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 306

2026 Regular Session

Edmonds

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

RELIGIOUS FREEDOMS/LIBERTIES. Creates the crime of obstruction of the freedom of worship in a church or other place of worship. (gov sig)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Change the maximum fine for a first offense violation of proposed law from \$10,000 to \$2,500.
2. Provides liability for damages caused by violation of proposed law.
3. Authorizes issuance of a temporary restraining order, preliminary injunction, permanent injunction, or declaratory relief, to prevent continuation of prohibited of the conduct.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

SB 306 Reengrossed

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Proposed law creates the crime of obstruction of the freedom of worship in a church or other place of worship.

Present law (18 U.S.C. §248) provides protections in federal law that allow federal law enforcement officials to make arrests and prosecute persons engaged in the illegal use of force, threats, injury, or intimidation to interfere with anyone exercising the First Amendment right to religious freedom at a church or other place of worship. Present law also prohibits intentional property damage of a church or other place of worship and protects attendees at the house of worship from violence.

Proposed law provides that the legislature declares that the purpose of proposed law is to enact protections that may be enforced at the state level, by state law enforcement authorities, in a similar manner that federal law enforcement authorities are able to protect the free exercise of the First Amendment right of religious freedom at a place of religious worship by prohibiting the use of force, threat, or intimidation to interfere with any person exercising the right to worship at a church or other place of worship.

Proposed law prohibits a person from obstructing or interfering with the freedom of worship in a church or other place of worship by:

- (1) Using force, the threat of force, physical obstruction, or intentional injury to intimidate or interfere with any person lawfully exercising the right of the free exercise of religion at a church or other place of worship.
- (2) Intentionally damaging or destroying the property of a church or other place of worship.
- (3) Willfully denying an attendee, clergy, or staff member the lawful freedom of movement on the property owned by the church or other place of worship, lawful use of any property or facilities, or right to lawfully come and go on private property.
- (4) Willfully refusing or failing to leave the private property of the church or other place of worship when requested to do so by the clergy, when the person is committing, threatening to commit, or inciting others to commit any act of disruptive activity that is intended to disrupt, impair, interfere with, or obstruct the worship service in a church or other place of worship.

- (5) Engaging in a disruptive activity at a church or other place of worship. Proposed law defines "disruptive activity" to mean engaging in any unauthorized protest or any riot, disorderly conduct, harassment, obstruction of entrances or exits to the building, or other conduct that materially interferes with the orderly conduct of a scheduled worship service.

Proposed law defines "church or other place of worship" to mean any building, structure, or defined outdoor area that is owned, leased, or otherwise lawfully possessed by a religious organization that is used for organized religious worship or other religious activities.

Proposed law defines "religious organization" to mean an entity that is operated for religious purposes and qualifies for exemption from taxation under the federal Internal Revenue Code.

Proposed law defines "attendee", "clergy" and "worship service".

Present law (18 U.S.C. §248) provides that federal law has criminal penalties for the illegal use of force, threats, physical obstruction, or injury to interfere with anyone exercising the First Amendment right to religious freedom at a church or other place of worship, as follows:

- (1) First offense is a maximum fine of \$2,500 or imprisonment for not less than 15 days nor more than six months, or both.
- (2) Second or subsequent offense is a fine of up to \$25,000 with imprisonment with or without hard labor for not less than one year nor more than 18 months, or both.
- (3) For a first, second, or subsequent offense that results in bodily injury, the offender shall be sentenced to not more than ten years, with hard labor.

Proposed law provides that the penalties for obstruction of the freedom of worship in a church or other place of worship are as follows:

- (1) First offense is a fine of up to \$2,500 or imprisonment for not less than 15 days nor more than six months, or both.
- (2) Second or subsequent offense is a fine of up to \$25,000 with imprisonment with or without hard labor for not less than one year nor more than 18 months, or both.
- (3) When the offense results in bodily injury, the offender shall be sentenced to not less than two years nor more than ten years, at hard labor.

Proposed law provides for liability for damages caused by offenses related to obstruction of freedom of worship in a church or other place of worship. Authorizes award of court costs and reasonable attorney fees in addition to general and special damages. Provides that damages may include to damages for physical injury, mental anguish, emotional distress, property damage, lost income, interference with the free exercise of religion, and other damages authorized by law.

Proposed law authorizes a court to grant a temporary restraining order, preliminary injunction, permanent injunction, or declaratory relief, to prevent the continuation of prohibited conduct.

Proposed law lists legislative findings.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 14:38.6 and C. C. Art. 2315.14)

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