

RÉSUMÉ DIGEST

ACT 379 (SB 306)

2026 Regular Session

Edmonds

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

Existing law allows 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. Existing law further prohibits intentional property damage of a church or other place of worship and protects attendees at the house of worship from violence.

New law declares that the purpose of new 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 religious freedom at a place of 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.

New 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" as 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.

New law defines "church or other place of worship" as 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.

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

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

Existing law provides the following federal 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:

- (1) For a first offense, a fine up to \$2,500 or imprisonment for between 15 days and six months, or both.
- (2) For a second or subsequent offense, a fine up to \$25,000 or imprisonment with or without hard labor for between one year and 18 months, or both.
- (3) For an offense that results in bodily injury, imprisonment at hard labor for up to 10 years.

New law provides the same state penalties for obstruction of the freedom of worship in a church or other place of worship as are provided in federal law, except that new law provides for mandatory minimum imprisonment of two years when the offense results in death or bodily injury.

New law provides:

- (1) Liability for damages caused by offenses related to obstruction of freedom of worship in a church or other place of worship.
- (2) Awarding court costs and reasonable attorney fees in addition to general and special damages.
- (3) Calculating damages based on physical injury, mental anguish, emotional distress, property damage, lost income, interference with the free exercise of religion, and other damages authorized by law.

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

New law lists legislative findings.

Effective May 22, 2026.

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