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## DIGEST

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HB 371 Engrossed

2025 Regular Session

Amedee

**Abstract:** Requires the government to provide protections to places of worship and prohibits discrimination in certain circumstances.

Proposed law provides that the government shall provide protections of the highest order to every place of worship.

Proposed law provides that the government shall not discriminate against a place of worship by requiring restrictions that are greater than the least severe restrictions that are imposed upon or enforced against any secular business, service, or assembly.

Proposed law provides that in 2023, the legislature adopted Article XII, Section 17 of the Constitution of Louisiana.

Proposed law (R.S. 13:5233.1) provides that if a church or other place of worship has met the requirements for zoning, building code, fire safety regulation, and has received an occupancy license, the government shall restrict or deny the use of the building in any of the following manners:

- (1) Based upon the day of the week the building is being used.
- (2) Based upon the content or types of religious instruction, education, or activities conducted in the building.
- (3) For a mother's day out program.
- (4) For a meeting of two or more parents or children participating in a home study program.
- (5) For a vacation Bible school or Bible camp.

Proposed law provides that nothing in proposed law shall prevent enforcement of Title 14 of the La. Revised Statutes of 1950 or any other applicable provisions of criminal law.

Proposed law expands the definition of "compelling state interest" and "exercise of religion".

Present law provides that a violation of the preservation of religious freedom act is asserted as a claim or defense in judicial proceeding.

Proposed law changes present law to provide that a violation of the preservation of religious freedom act is asserted as a claim or defense in an administrative proceeding rather than a judicial proceeding.

Proposed law expands the remedies to include court approved expert witness fees.

Proposed law provides that a person shall bring an action to assert a claim for damages not later than one year after the date that an action was dismissed by an administrative law judge or a court, or there was a finding in favor of the person on the merit which resulted in a claim authorized pursuant to the Preservation of Religious Freedom Act.

Proposed law provides that an action can be asserted no later than one year from the seventy-fifth day after the date on which the notice is mailed pursuant to R.S. 13:5238.

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

(Amends R.S. 13:5232(1), 5233, 5234 (3), (5), and (6)(intro. para.), 5237, 5239, and 5240(A) and (B); Adds R.S. 13:5232(7) and 5233.1)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Make technical changes.
2. Make reference to Article XII, Section 17 of the La. Constitution with respect to the legislative findings for the Preservation of Religious Freedom Act.
3. Expand the definition of "compelling state interest" and "exercise of religion".
4. Change that a violation of the Preservation of Religious Freedom Act is asserted as a claim or defense in an administrative proceeding rather than a judicial proceeding.
5. Expand the remedies to include court-approved expert witness fees.
6. Provide that a person shall bring an action to assert a claim for damages not later than one year after the date that an action was dismissed by an administrative law judge or a court, or there was a finding in favor of the person on the merit which resulted in a claim authorized pursuant to the Preservation of Religious Freedom Act.
7. Provide that an action can be asserted no later than one year from the 75th day after the date on which the notice is mailed pursuant to R.S. 13:5238.
8. Remove synagogue and temple.

9. Provide for an effective date.