

2025 Regular Session

HOUSE BILL NO. 371

BY REPRESENTATIVES AMEDEE, BAYHAM, BERAULT, CARRIER, CARVER, CHENEVERT, COX, CREWS, DEVILLIER, EDMONSTON, EGAN, FIRMENT, GLORIOSO, HORTON, MACK, MCCORMICK, MOORE, OWEN, SCHAMERHORN, TARVER, TAYLOR, VENTRELLA, WILDER, AND WYBLE AND SENATOR HODGES

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

RELIGIOUS ORGANIZATIONS: Provides relative to the free exercise of religion

1 AN ACT

2 To amend and reenact R.S. 13:5232(1), 5233, 5234(3), (5), and (6)(introductory paragraph),
3 5237, 5239, and 5240(A) and (B) and R.S. 17:407.33(1) and to enact R.S. 13:5232(7)
4 and 5233.1 and R.S. 17:236.1(H) and 407.33(9) and (10), relative to the Preservation
5 of Religious Freedom Act; to provide relative to the free exercise of religion; to
6 provide for protections for places of worship; to prohibit certain restrictions against
7 places of worship; to provide for an effective date; to provide relative to home study
8 cooperatives; to provide for definitions; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:5232(1), 5233, 5234(3), (5), and (6)(introductory paragraph),
11 5237, 5239, and 5240(A) and (B) are hereby amended and reenacted and R.S. 13:5232(7)
12 and 5233.1 are hereby enacted to read as follows:

13 §5232. Legislative findings

14 The legislature finds and declares that:

15 (1) ~~Free~~ The free exercise of religion is a fundamental right of the highest
16 order in this state.

17 * * *

18 (7) In 2023, the legislature and the people of Louisiana adopted Article XII,
19 Section 17 of the Constitution of Louisiana which provides for the freedom of
20 worship in churches or other places of worship.

1 §5233. Free exercise of religion protected

2 A. Government shall not substantially burden a person's exercise of religion,
3 even if the burden results from a facially neutral rule or a rule of general
4 applicability, unless it demonstrates that application of the burden to the person is
5 both:

6 (1) In furtherance of a compelling governmental interest.

7 (2) The least restrictive means of furthering that compelling governmental
8 interest.

9 B. Notwithstanding any other provision of law to the contrary, the
10 government shall provide protections of the highest order to every church or other
11 place of worship and shall not discriminate against any church or other place of
12 worship by requiring restrictions that are greater than the least severe restrictions that
13 are imposed upon or enforced against any secular business, service, or assembly.

14 §5233.1. Protection of the freedom of worship in churches and other religious
15 institutions; protection of religious education

16 A. If a church or other place of worship has met the requirements for zoning,
17 building code, and fire safety regulation, and has received an occupancy license for
18 the use of the building, the government shall not do any of the following:

19 (1) Restrict or deny the use of the building for a meeting based upon the day
20 of the week the building is being used.

21 (2) Restrict or deny the use of the building based upon the content or types
22 of religious instruction, education, or activities conducted in the building.

23 (3) Restrict or deny the use of the building for a mother's day out program.

24 (4) Restrict or deny the use of the building for a meeting of two or more
25 parents or children participating in a home study program, pursuant to R.S. 17:236.1,
26 for the purpose of the following:

27 (a) Increasing their child's academic performance.

28 (b) Completing courses required for a Taylor Opportunity Program for
29 Students scholarship pursuant to R.S. 17:5001 et seq.

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(9) "Mother's day out program" means a religious enrichment program for

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children offered at a church or other place of worship that meets the requirements of

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R.S. 17:407.35(B).

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(10) "Home study education cooperative", as defined in R.S. 17:236.1 that

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meets the requirements of R.S. 17:407.35(B) and, therefore operates no more than

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twenty-four hours in a continuous seven-day week.

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Section 3. This Act shall become effective upon signature by the governor or, if not

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signed by the governor, upon expiration of the time for bills to become law without signature

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by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

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vetoed by the governor and subsequently approved by the legislature, this Act shall become

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effective on the day following such approval.

 DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 371 Reengrossed

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 La.

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, and 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 75th day after the date on which the notice is mailed pursuant to R.S. 13:5238.

Proposed law provides that two or more parents whose children are participating in an approved home study program may form a home study education cooperative for any of the following purposes:

- (1) Increasing a child's academic performance.
- (2) Completing courses required for a Taylor Opportunity Program for a student scholarship pursuant to R.S. 17:5001 et seq.
- (3) Facilitating socialization for student enrichment.
- (4) Facilitating student recreational or athletic activities.

Proposed law defines "home study education cooperative" and "mother's day out program".

Proposed law expands the definition of "camp" to include a Vacation Bible School or Bible Camp.

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) and R.S. 17:407.33(1); Adds R.S. 13:5232(7) and 5233.1 and R.S. 17:236.1(H) and 407.33(9) and (10))

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.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Define "home study education cooperative" and "mother's day out program".
3. Expand the definition of "camp" to include a Vacation Bible School or Bible Camp.
4. Provide that two or more parents whose children are participating in an approved home study program may form a home study education cooperative in certain circumstances.
5. Provide that home study education cooperative operate no more than 24 hours in a continuous seven-day week.