

1 WHEREAS, on March 11, 2020, the World Health Organization declared the novel
2 coronavirus (COVID-19) outbreak a global pandemic; and

3 WHEREAS, since March 11, 2020, various executives of the state and local
4 governing authorities have issued proclamations to declare a public health emergency due
5 to COVID-19 as well as various declarations of disaster related to hurricanes and other
6 emergencies; and

7 WHEREAS, in response to the declarations of public health or other emergencies
8 various states including Louisiana have issued executive orders at the state and local level
9 which restricted attendance to religious services and have directly or indirectly closed
10 churches; and

11 WHEREAS, the United States Supreme Court in *Roman Catholic Diocese of*
12 *Brooklyn v. Cuomo*, 141 S. Ct. 63 (2020), struck down the New York governor's COVID-19
13 executive order that restricted churches so severely that it effectively closed them down
14 while the same executive order allowed secular businesses to operate with few or no
15 restrictions. The court further noted that "Catholics who watch a Mass at home cannot
16 receive communion. . ." and stated that "But even in a pandemic, the Constitution cannot be
17 put away and forgotten. The restrictions at issue here, by effectively barring many from
18 attending religious services, strike at the very heart of the First Amendment's guarantee of
19 religious liberty"; and

20 WHEREAS, Louisiana pastors, clergy, and other persons met and continue to meet
21 under the assumption that, in America and in Louisiana, their guarantee of religious liberty
22 found in the Constitution of the United States of America and the Constitution of Louisiana
23 protects their free exercise of religion so that they can ultimately succeed if they follow the
24 instruction found in the Holy Bible in Hebrews 10:25 not to engage in "forsaking the
25 assembling of ourselves together, as the manner of some is; but exhorting one another: and
26 so much the more, as ye see the day approaching"; and

27 WHEREAS, even a technical violation of R.S. 14:329.6, R.S. 29:721, or R.S. 29:727,
28 et seq. can impose fines, or imprisonment, or both on any person who violates a governor's,
29 mayor's, or parish president's executive order declaring an emergency or disaster, and a two

emergency situation under control, promulgate orders affecting any part or all of the territorial limits of the municipality or parish, which includes regulating and closing of places of amusement and assembly.

Present law (R.S. 29:724(E)) provides that in the event of an emergency declared by the governor, any person or representative of any firm, partnership, or corporation violating any promulgated order, rule, or regulation shall be fined not more than \$500 or confined in the parish jail for not more than six months, or both. Provides that no executive order, proclamation, or regulation shall create or define a crime or fix penalties.

Present law (R.S. 29:727(G)) provides that in the event of an emergency declared by the parish president, any person or representative of any firm, partnership, or corporation violating any promulgated order, rule, or regulation shall be fined not more than \$500 or confined in the parish jail for not more than six months, or both.

(Suspends R.S. 14:329.6(A)(3) and R.S. 29:724(E) and 727(G))