

2026 Regular Session

SENATE BILL NO. 306

BY SENATOR EDMONDS

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

1 AN ACT

2 To enact R.S. 14:38.6, relative to offenses affecting the free exercise of religion; to create
3 the crime of obstruction or interference with the freedom of worship at a church or
4 other place of worship; to provide for conduct that constitutes the offense; to provide
5 for penalties; to provide for definitions; to provide for legislative intent; to provide
6 for legislative purposes; to provide for an effective date; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 14:38.6 is hereby enacted to read as follows:

10 **§38.6. Obstruction of the freedom of worship in a church or other place of**
11 **worship**

12 **A. No person shall obstruct or interfere with the freedom of worship in**
13 **a church or other place of worship by committing any of the following offenses:**

- 14 **(1) Using force, the threat of force, physical obstruction, intentional**
15 **injury, or attempted intentional injury, to intimidate or interfere with any**
16 **person lawfully exercising or seeking to exercise the First Amendment right of**
17 **the free exercise of religion at a church or other place of worship.**

1 (2) Intentionally damaging or destroying the property of a church or
2 other place of worship.

3 (3) Willfully denying an attendee, clergy, or member of the staff of a
4 church or other place of worship any of the following:

5 (a) Lawful freedom of movement on the property of the church or other
6 place of worship.

7 (b) Lawful use of any property or facilities of a church or other place of
8 worship.

9 (c) The right of lawful ingress and egress to and from the physical
10 facilities of a church or other place of worship.

11 (4) Willfully refusing or failing to leave the private property of the
12 church or other place of worship when requested to do so by the clergy, when
13 the person is committing, threatening to commit, or inciting others to commit
14 any disruptive activity that is intended to disrupt, impair, interfere with or
15 obstruct the worship service in a church or other place of worship.

16 (5) Engaging in a disruptive activity at a church or other place of
17 worship.

18 (6) Knowingly financing, funding, or providing material support to a
19 person who is engaging, or attempting to engage, in disruptive activities
20 designed, or intended, to interfere with the freedom of worship in a church or
21 other place of worship.

22 B. For purposes of this Section:

23 (1) "Attendee" means a person who is lawfully present in a church or
24 other place of worship, or is engaging in the lawful ingress and egress thereto.

25 (2) "Church or other place of worship" means any building, structure,
26 or defined outdoor area that is owned, leased, or otherwise lawfully possessed
27 by a religious organization that is used for organized religious worship or other
28 religious activities.

29 (3) "Clergy" means the pastor of the church, a deacon, or other member

1 of the clergy who has authority over the administration of the church or other
2 place of worship or has been designated by the religious organization with such
3 authority.

4 (4) "Disruptive activity" means engaging in, or attempting to engage in,
5 an unauthorized protest or riot, disorderly conduct, harassment, obstruction of
6 ingress or egress, or other conduct that materially interferes with the orderly
7 conduct of a scheduled worship service.

8 (5) "Religious organization" means an entity that is operated for
9 religious purposes and qualifies for exemption from taxation under Section
10 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C.
11 Section 501).

12 (6) "Worship service" means a regularly scheduled religious meeting or
13 assembly held at a church or other place of worship for the purpose of worship
14 or religious observance.

15 C.(1) Whoever commits the offense of obstruction of the freedom of
16 worship in a church or other place of worship shall be fined not more than ten
17 thousand dollars or imprisoned for not more than six months, or both.

18 (2) For a second or subsequent offense, the offender shall be fined not
19 more than twenty-five thousand dollars and imprisoned with or without hard
20 labor for not less than one year nor more than eighteen months, or both.

21 (3) For a first, second, or subsequent offence that results in bodily injury
22 of a lawful attendee, member of the clergy, or staff member, the offender shall
23 be sentenced to not more than ten years, with hard labor.

24 Section 2. The legislature finds and declares that:

25 (1) The free exercise of religion and the right of individuals to assemble for worship
26 services is protected by the First Amendment to the Constitution of the United States of
27 America and Article I, Section 8 of the Constitution of Louisiana.

28 (2) In 2023, the legislature and the people of Louisiana adopted Article XII, Section
29 17 of the Constitution of Louisiana which provides that "(t)he freedom to worship in a

1 church or other place of worship is a fundamental right that is worthy of the highest order
2 of protection".

3 (3) The intentional interference with a scheduled worship service undermines these
4 fundamental rights to the free exercise of religion and the freedom to worship in a church
5 or other place of worship by disrupting the orderly practice of religion, and can create a
6 danger to persons attending the worship service.

7 (4) The right to engage in a peaceful protest is essential to a free society of people,
8 and that right extends to public places that are traditionally open to political speech and
9 debate, including public streets, sidewalks, and parks with minimal constitutional
10 restrictions; however, that right has never been interpreted to authorize the trespass or
11 disruptive activity on private property, such as a church or other place of worship or at a
12 home.

13 (5) Prevention of the willful disruption of worship services and religious activities
14 is a matter of statewide concern.

15 (6) It is a compelling interest of this state to protect the ability of its people to meet
16 and assemble for the exercise of religious worship and other religious activities guaranteed
17 by the Free Exercise Clause of the First Amendment to the Constitution of the United States
18 of America as well as Article I, Section 8 and Article XII, Section 17 of the Constitution of
19 Louisiana.

20 (7) It is imperative to a free society and the survival of a constitutional republic that
21 the state of Louisiana protects attendees in churches or other places of worship so that the
22 attendees are free from intentional acts that materially interfere or disrupt a scheduled
23 worship service or other religious activity that is conducted on the private property that is
24 set aside by the religious organization for constitutionally protected religious assemblies.

25 Section 3. The legislature declares that the purpose of this Act is to enact protections
26 that may be enforced at the state level, by state law enforcement authorities, in a similar
27 manner that federal law enforcement authorities, pursuant to 18 U.S.C. 248(a)(2), are able
28 to protect the free exercise of religion at a place of religious worship by prohibiting the use
29 of force, threats of force, or physical obstruction to injure, intimidate, or interfere with any

1 person exercising their right to worship at a church or other place of worship.

2 Section 4. If any provision or item of this Act, or the application thereof, is held
3 invalid, such invalidity shall not affect other provisions, items, or applications of the Act
4 which can be given effect without the invalid provision, item, or application and to this end
5 the provisions of this Act are hereby declared severable.

6 Section 5. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 306 Engrossed

2026 Regular Session

Edmonds

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 arrest and prosecute persons engaged in the illegal use of force, threats, injury, or intimidation to interfere with anyone exercising their 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 their right to worship at a church or other place of worship.

Proposed law provides that no person shall obstruct or interfere with the freedom of worship in a church or other place of worship by committing any of the following offenses:

- (1) Using force, the threat of force, physical obstruction, intentional injury to intimidate or interfere with any person lawfully exercising their First Amendment 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.
- (6) Knowingly funding, financing, or providing material support to a person who is engaging, or attempting to engage, in disruptive activities designed that are intended to interfere with the freedom of worship in a church or other place of worship.

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 their First Amendment right to religious freedom at a church or other place of worship, as follows:

- (1) First offense is a fine of up to \$10,000 or imprisoned for not more than six months, or both.
- (2) Second or subsequent offense is a fine of up to \$25,000 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 offence 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 is, as follows:

- (1) First offense is a fine of up to \$10,000 or imprisoned for not more than six months, or both.
- (2) Second or subsequent offense is a fine of up to \$25,000 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 offence that results in bodily injury, the offender shall be sentenced to not more than ten years, with hard labor.

Proposed law provides the following legislative findings:

- (1) The free exercise of religion and the right of individuals to assemble for worship services is protected by the First Amendment to the U.S. Constitution and the La. Constitution.

- (2) In 2023, the legislature and the people of La. adopted an amendment to the La. Constitution which provides that the freedom to worship in a church or other place of worship is a fundamental right that is worthy of the highest order of protection.
- (3) The intentional interference with a scheduled worship service undermines these fundamental rights to the free exercise of religion and the freedom to worship by disrupting the orderly practice of religion and can create a danger to persons attending the worship service.
- (4) The right to engage in a peaceful protest is essential to a free society of people, and the right extends to public places that are traditionally open to political speech and debate, including public streets, sidewalks, and parks, with minimal constitutional restrictions; however, that right has never been interpreted to authorize the trespass or disruptive activity on private property, such as a home or a church or other place of worship.
- (5) Prevention of the willful disruption of worship services and religious activities is a matter of statewide concern.
- (6) It is a compelling interest of this state to protect the ability of its people to meet and assemble for the exercise of religious worship and other religious activities guaranteed by the U.S. Constitution and the La. Constitution.
- (7) It is imperative to a free society and the survival of a constitutional republic that the state of La. protects attendees in a church or other places of worship so that the attendees are free from intentional acts that materially interfere or disrupt a scheduled worship service or other religious activity that is conducted on the private property set aside by the religious organization for protected religious assemblies.

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

(Adds R.S. 14:38.6)