

2026 Regular Session

HOUSE BILL NO. 294

BY REPRESENTATIVES FIRMENT, AMEDEE, BACALA, BAYHAM, BERAULT, BILLINGS, CARLSON, CARRIER, CARVER, CHENEVERT, COATES, COX, CREWS, DESHOTEL, DEVILLIER, DEWITT, EDMONSTON, EGAN, GALLE, GLORIOSO, HORTON, MIKE JOHNSON, KERNER, MCCORMICK, MCFARLAND, MELERINE, OWEN, SAWYER, SCHAMERHORN, SCHLEGEL, SPELL, ST. BLANC, THOMPSON, VILLIO, WILDER, AND WYBLE

TRESPASS: Provides places of worship the right to remove disruptive individuals

1 AN ACT

2 To amend and reenact R.S. 14:19(A)(1)(b)(i) and (2) and (B)(introductory paragraph) and
3 (1) and to enact R.S. 13:5233.2, relative to the exercise of religion; to limit liability
4 of persons protecting the right of religion; to provide for definitions; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:5233.2 is hereby enacted to read as follows:

8 §5233.2. Protection of freedom of worship; limitation of liability

9 A. The Legislature of Louisiana finds that church or other place of worship
10 are private property dedicated to the free exercise of religion, that religious
11 assemblies are protected by the Constitution of the United States and the Constitution
12 of Louisiana, and that the right to exclude disruptive and potentially violent
13 individuals may be necessary to facilitate the free exercise of religion. The
14 Legislature of Louisiana further finds that clarification of existing statutory authority
15 is in the furtherance of justice and the free exercise of religion.

16 B. Any religious leader, authorized security team member, or person
17 lawfully present and permitted on the premises of a church or other place of worship
18 may request that a person leave the premises if the person is committing criminal
19 trespass pursuant to R.S. 14:63 or is engaged in a substantial disruption. Such
20 request shall constitute notice for purposes of criminal trespass law.

1 C. A lawfully permitted person may employ reasonable force when used in
2 accordance with the following:

3 (1) To prevent a forcible offense against a person lawfully present on the
4 premises.

5 (2) To physically remove a trespassing person who refuses to leave the
6 premises following a request made pursuant to Subsection B of this Section.

7 (3) When done in accordance with R.S. 14:19.

8 D.(1) When force or violence is used to prevent criminal trespass or the
9 disruption of worship services, or any other activity at the church or other place of
10 worship, the lawfully permitted person is limited to the use of force reasonably
11 necessary to terminate the trespass or substantial disruption, or force proportionate
12 to that used by the person committing the trespass or causing the disruption.

13 (2) Nothing in this Section shall be construed to authorize the use of deadly
14 force except where otherwise permitted by law for purposes of self-defense.

15 E.(1) A lawfully permitted person on the premises who uses reasonable,
16 limited, and necessary force pursuant to this Section and the organization which
17 owns or leases the premises for religious activities shall not be liable in tort to any
18 person for the use of such force.

19 (2) A request made pursuant to Subsection B of this Section and the
20 continued presence of a person who is trespassing shall constitute an affirmative
21 defense for any arrest or civil action arising out of the use of reasonable and
22 necessary force to terminate a criminal trespass.

23 (3) The provisions of this Subsection do not apply if any of the following
24 occur:

25 (a) The use of force was grossly disproportionate to the force used by the
26 criminal trespasser.

27 (b) Deadly force was used unlawfully and unnecessarily.

28 (c) The person who used force was engaged in any unlawful conduct.

1 (4) In any criminal or civil action arising from the use of force by a lawfully
2 present person against a trespasser pursuant to this Section, whether the defendant
3 is an individual or the religious organization, upon motion, the court shall conduct
4 a pretrial immunity hearing. If immunity is established by a preponderance of the
5 evidence, the action shall be dismissed.

6 F. Nothing in this Section shall be construed to do any of the following:

7 (1) Prohibit the lawful, peaceful protest outside the premises of a church or
8 other place of worship that does not obstruct access to the premises.

9 (2) Supercede any other provision of law related to self-defense.

10 (3) Limit the authority of law enforcement.

11 (4) Limit constitutional free speech or free exercise of religion.

12 G. For the purposes of this Section, the following terms have the following
13 meanings:

14 (1) "Church or other place of worship" means any building, structure, or
15 outdoor private property that is owned, leased, or otherwise lawfully possessed by
16 a religious organization that is used for organized religious worship or other religious
17 activities.

18 (2) "Religious leader" means a pastor, minister, priest, deacon, rabbi, imam,
19 trustee, elder, or any other person formally recognized by a church or other place of
20 worship as having authority to maintain order during a religious service.

21 (3) "Substantial disruption" means conduct that does any of the following:

22 (a) Physically obstructs or attempts to obstruct a religious service or other
23 activity taking place at a church or other place of worship.

24 (b) Prevents or materially interferes with the ability of a person to participate
25 in religious worship or other activity taking place at a church or other place of
26 worship.

27 (c) Continues after a lawful directive to cease such conduct.

28 (4) "Substantial disruption" does not include peaceful activity conducted
29 outside the premises that does not obstruct access to or from the premises.

1 Section 2. R.S. 14:19(A)(1)(b)(i) and (2) and (B)(introductory paragraph) and (1)
2 are hereby amended and reenacted to read as follows:

3 §19. Use of force or violence in defense

4 * * *

5 A.(1) The use of force or violence upon the person of another is justifiable
6 under either of the following circumstances:

7 * * *

8 (b)(i) When committed by a person lawfully inside a dwelling, a place of
9 business, a church or other place of worship as defined in R.S. 13:5233.2, or a motor
10 vehicle as defined in R.S. 32:1(40) when the conflict began; against a person who is
11 attempting, or who has made, to make an unlawful entry into the ~~dwelling, place of~~
12 ~~business, or motor vehicle, or who has made an unlawful entry into the dwelling,~~
13 ~~place of business, premises~~ or motor vehicle as described in this Section, and the
14 person using the force or violence reasonably believes that the use of force or
15 violence is necessary to prevent the entry or to compel the intruder to leave the
16 ~~dwelling, place of business, premises~~ or motor vehicle.

17 * * *

18 (2) The provisions of Paragraph (1) of this ~~Section shall~~ Subsection does not
19 apply where the force or violence results in a homicide.

20 B. For the purposes of this Section, there shall be a presumption that a
21 person lawfully inside a dwelling, place of business, church or other place of
22 worship, or motor vehicle held a reasonable belief that the use of force or violence
23 was necessary to prevent unlawful entry thereto, or to compel an unlawful intruder
24 to leave the premises or motor vehicle, if both of the following occur:

25 (1) The person against whom the force or violence was used was in the
26 process of unlawfully and forcibly entering or had unlawfully and forcibly entered
27 the dwelling, place of business, church or other place of worship, or motor vehicle.

28 * * *

 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 294 Reengrossed

2026 Regular Session

Firmen

Abstract: Provides immunity to religious leaders and persons lawfully present at churches and other places of worship who use appropriate force to exclude intruders engaged in trespass or substantial disruption of religious activities.

Present law allows the use of force to exclude trespassers who refuse to leave certain private property.

Proposed law retains present law and adds that private property rights extend to churches and other places of worship and to persons who are lawfully present at churches and other places of worship, including the right to exclude people who trespass or cause substantial disruption.

Proposed law describes when the use of force is appropriate and provides immunity from liability when use of force is appropriately made.

Proposed law prohibits the use of deadly force except as otherwise provided in present law related to self-defense.

Proposed law provides for an immunity hearing in cases against a religious leader or lawfully present person at a church or other place of worship who uses force.

Proposed law allows for peaceful protests outside of the church or other place of worship that do not impede access to or from the church or other place of worship.

Proposed law defines "church or other place of worship", "religious leader", and "substantial disruption".

Proposed law adds churches and other places of worship to the list of places where people can use force or violence to prevent unlawful entry by another person.

(Amends R.S. 14:(A)(1)(b)(i) and (2) and (B)(intro. para.) and (1); Adds R.S. 13:5233.2)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Change "house of worship" to "church or other place of worship" throughout proposed law.
2. Define "church or other place of worship".

The House Floor Amendments to the engrossed bill:

1. Change "defined outdoor area" to "outdoor private property".