

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 2783

By: Walke

AS INTRODUCED

An Act relating to officers; amending 51 O.S. 2011, Section 253, which relates to the Oklahoma Religious Freedom Act; declaring certain policies to substantially burden a person's free exercise of religion; defining term; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 51 O.S. 2011, Section 253, is amended to read as follows:

Section 253. A. Except as provided in subsection B of this section, no governmental entity shall substantially burden a person's free exercise of religion even if the burden results from a rule of general applicability.

B. No governmental entity shall substantially burden a person's free exercise of religion unless it demonstrates that application of the burden to the person is:

1. Essential to further a compelling governmental interest; and

1 2. The least restrictive means of furthering that compelling
2 governmental interest.

3 C. A school or school district policy prohibiting students from
4 wearing tribal regalia during high school graduations, if that
5 conduct is motivated by the student's religious beliefs, shall be
6 considered to substantially burden the student's free exercise of
7 religion. For purposes of this section, a "compelling governmental
8 interest" shall not include the school policy described in this
9 subsection if the interest is primarily a mere desire for aesthetic
10 uniformity.

11 SECTION 2. This act shall become effective November 1, 2020.

Comment [1]: BDERIV

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