

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 57th Legislature (2020)

4 HOUSE BILL 3046

By: Caldwell (Trey), **Roberts**  
**(Dustin), Rosecrants,**  
**Ranson and Albright**

8                                   AS INTRODUCED

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

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

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

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

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

1 1. Essential to further a compelling governmental interest; and

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

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

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

13  
14 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/18/2020  
15 - DO PASS, As Coauthored.