

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3046

By: Caldwell (Trey)

4  
5  
6 AS INTRODUCED

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

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

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

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

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

23 1. Essential to further a compelling governmental interest; and  
24

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.

12  
13        57-2-10484        AMM        01/06/20  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24