

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 ENGROSSED SENATE
5 BILL NO. 368

 By: Bullard, Bergstrom, Burns,
 Jett, Taylor and Stephens
 of the Senate

6 and

7 Hill, Gann and **Davis** of the
8 House

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11 An Act relating to the Oklahoma Religious Freedom
12 Act; amending 51 O.S. 2011, Section 253, which
13 relates to burden upon free exercise of religion;
14 prohibiting governmental declaration of religious
15 institution as nonessential; prohibiting closure or
16 restriction on religious institution under certain
17 circumstances; providing an effective date; and
18 declaring an emergency.

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

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

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

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

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

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

7 C. No governmental entity as defined pursuant to Section 252 of
8 this title shall declare or deem a religious institution and any
9 activity directly related to the institution's discharge of its
10 mission and purpose to be nonessential. No religious institution
11 shall be subject to a closure or restriction for the purposes of
12 health or security that is greater than that imposed upon any
13 private entity facing the same or similar health or security
14 conditions.

15 SECTION 2. This act shall become effective July 1, 2021.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this resolution shall take
19 effect and be in full force from and after its passage and approval.

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21 COMMITTEE REPORT BY: COMMITTEE ON STATES RIGHTS, dated 03/31/2021 -
22 DO PASS, As Coauthored.
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