S-0659.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5436**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 69th Legislature 2025 Regular Session**

**By** Senators Salomon, Valdez, Wellman, Braun, Chapman, Cortes, Dhingra, Hasegawa, Orwall, Saldaña, and Schoesler

AN ACT Relating to interfering with access to a place of religious worship; adding a new chapter to Title 9A RCW; prescribing penalties; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that access to places of worship is imperative to the free exercise of religion in the state of Washington and that impaired access to places of worship raises substantial concerns regarding public safety and congestion of public thoroughfares. Ensuring the safety and unimpeded access of individuals entering and exiting places of worship is therefore a compelling government interest and essential for the immediate preservation of public peace, health, and safety. Toward that end, this chapter is aimed at making unlawful conduct that would interfere with a person's lawful exercise of that person's religious freedom under the state Constitution and United States Constitution. The legislature further finds that the protection of such persons from such interference can be accomplished without infringing on constitutionally protected speech or activity and affirms that its intent is to not seek to favor one viewpoint over another or to limit speech regarding any specific topic.

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Aggrieved person" means any of the following:

(a) A person, physically present at the premises of a place of worship when the prohibited actions occur, whose access to the premises is or is about to be obstructed or impeded;

(b) A person, physically present at the premises of a place of worship when the prohibited actions occur, whose exercise of their freedom of religion is or is about to be disrupted;

(c) The religious organization or its employees or agents who control or maintain the place of worship where the prohibited actions occur; or

(d) The owner of the premises of the place of worship where the prohibited actions occur.

(2) "Eight feet" shall be measured from the part of a person's body that is nearest to the closest door or other point of ingress or egress from the premises of a place of worship, where the term "body" includes any natural or artificial extension of a person including, but not limited to, an outstretched arm or hand-held sign.

(3) "Harass" has the same meaning as RCW 9A.46.020.

(4) "Interfere with" means to stop or to restrict a person's freedom of movement.

(5) "Law enforcement officer" has the meaning given that term in RCW 9A.76.020.

(6) "Place of worship" means a location wherein persons regularly assemble for religious worship and which is maintained or controlled by a religious organization.

(7) "Premises of a place of worship" means any building that is used as a place of worship and is maintained or controlled by a religious organization.

(8) "Prohibited actions" mean any conduct referenced in section 3 or 4 of this act.

(9) "Religious organizations" include, but are not limited to, churches, mosques, synagogues, temples, nondenominational ministries, interdenominational and ecumenical organizations, mission organizations, faith-based social agencies, and other entities whose principal purpose is the study, practice, or advancement of religion.

NEW SECTION. **Sec.**  A person is guilty of disorderly conduct if the person approaches another person within eight feet of such person with intent to harass, threaten, or intimidate that person because of a belief or perception regarding the race, color, religion, ethnicity, ancestry, national origin, sex, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability of any person or group, within a radius of 50 feet from the premises of a place of worship.

NEW SECTION. **Sec.**  A person is guilty of disorderly conduct if the person does any of the following:

(1) Intentionally physically obstructs or blocks another person from physically entering or exiting the premises of a place of worship;

(2) By force or threat of force, or by physically obstructing or blocking, intentionally interferes with, or attempts or threatens to interfere with, another person's freedom of movement in order to discourage such person or any other person or persons from entering or exiting the premises of a place of worship; or

(3) Intentionally damages or destroys the premises of a place of worship.

NEW SECTION. **Sec.**  (1) A violation of section 3 or 4 of this act is a gross misdemeanor. A person convicted of violating section 3 or 4 of this act shall be punished as follows:

(a) For a first offense, a fine of not less than $250 and a jail term of not less than 24 consecutive hours;

(b) For a second offense, a fine of not less than $500 and a jail term of not less than seven consecutive days; and

(c) For a third or subsequent offense, a fine of not less than $1,000 and a jail term of not less than 30 consecutive days.

(2) The fines imposed by this section apply to adult offenders only.

NEW SECTION. **Sec.**  (1) An aggrieved person may seek civil damages from those who committed the prohibited acts and those acting in concert with them. A plaintiff in an action brought under this chapter shall not recover more than the plaintiff's actual damages and additional sums authorized in section 7 of this act. Once a plaintiff recovers the plaintiff's actual damages and any additional sums authorized under this chapter, additional damages shall not be recovered. A person does not have to be criminally convicted of violating section 3 or 4 of this act to be held civilly liable under this section. It is not necessary to prove actual damages to recover the additional sums authorized under section 7 of this act, costs, and attorneys' fees. The prevailing party is entitled to recover costs and attorneys' fees.

(2) The superior courts of this state shall have authority to grant temporary, preliminary, and permanent injunctive relief to enjoin violations of this chapter.

(3) In appropriate circumstances, any superior court having personal jurisdiction over one or more defendants may issue injunctive relief that shall have binding effect on the original defendants and persons acting in concert with the original defendants, in any county in the state.

(4) Due to the nature of the harm involved, injunctive relief may be issued without bond in the discretion of the court, notwithstanding any other requirement imposed by statute.

(5) The state and its political subdivisions shall cooperate in the enforcement of court injunctions that seek to protect against acts prohibited by this chapter.

NEW SECTION. **Sec.**  In a civil action brought under this chapter, an aggrieved person may be entitled to recover up to $500 for each day that the prohibited actions occurred.

NEW SECTION. **Sec.**  Nothing in this chapter shall be construed to limit the right to seek other available criminal or civil remedies. The remedies provided in this chapter are cumulative, not exclusive.

NEW SECTION. **Sec.**  A court having jurisdiction over a criminal or civil proceeding under this chapter shall take all steps reasonably necessary to safeguard the individual privacy and prevent harassment of the agents or employees of a religious organization who are a party or witness in a proceeding, including granting protective orders and orders in limine.

NEW SECTION. **Sec.**  Sections 1 through 9 and 12 of this act constitute a new chapter in Title 9A RCW.

NEW SECTION. **Sec.**  If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**--- END ---**