

119TH CONGRESS
2D SESSION

S. _____

To protect the right to the free exercise of religion.

IN THE SENATE OF THE UNITED STATES

Mr. CRUZ (for himself and Ms. SLOTKIN) introduced the following bill; which
was read twice and referred to the Committee on _____

A BILL

To protect the right to the free exercise of religion.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Right to Worship Act”.

5 **SEC. 2. PROTECTING THE RIGHT TO THE FREE EXERCISE** 6 **OF RELIGION.**

7 (a) DEFINITIONS AND RULES.—

8 (1) DEFINITIONS.—In this section:

9 (A) DISRUPT.—The term “disrupt”, used
10 with respect to conduct and a scheduled reli-
11 gious service, means conduct that meaningfully
12 interferes with the ability of people to partici-

1 pate in the scheduled religious service, to the
2 extent that the conduct causes a substantial
3 interruption to the service's normal operation.

4 (B) HOUSE OF WORSHIP.—The term
5 “house of worship” means a defined parcel of
6 property or other space that religious adherents
7 collectively recognize or religious leadership des-
8 ignates as a place to routinely or regularly
9 gather to hold religious services.

10 (C) IMPEDE.—The term “impede”, used
11 with respect to conduct and a scheduled reli-
12 gious service, means conduct that unreasonably
13 hinders or deters a person from entering a
14 house of worship, or that threatens or intimi-
15 dates a person, in a manner that prevents par-
16 ticipation at a scheduled religious service.

17 (D) KNOWINGLY.—The term “knowingly”,
18 used with respect to a person and a disruption
19 or impediment, means that the person is aware
20 or reasonably should be aware that the person's
21 conduct will cause such disruption or impedi-
22 ment, respectively.

23 (E) RELIGIOUS SERVICE.—The term “reli-
24 gious service” includes any collective worship or
25 prayer service, class, or other event, at which

1 individuals congregate to worship, study, or
2 otherwise exercise, their religion.

3 (F) SCHEDULED RELIGIOUS SERVICE.—

4 The term “scheduled religious service” includes
5 any religious service—

6 (i) that is observably underway or im-
7 minently beginning or concluding, as evi-
8 denced by the gathering or dispersing of
9 congregants at or by congregants ap-
10 proaching or leaving a house of worship;

11 (ii) the date and time of which have
12 been communicated to the defendant by
13 law enforcement, by a representative of the
14 house of worship, or through a prior judi-
15 cial or administrative proceeding, or of
16 which the defendant had actual knowledge;
17 or

18 (iii) follows a customary and regularly
19 recurring schedule of which the defendant
20 had actual knowledge.

21 (G) STATE.—The term “State” includes a
22 State of the United States, the District of Co-
23 lumbia, and any commonwealth or territory.

24 (2) RULES.—

1 (A) SCHEDULED RELIGIOUS SERVICE.—

2 Nothing in this section shall require a house of
3 worship to publish the schedule for a scheduled
4 religious service on any publicly accessible me-
5 dium.

6 (B) DISRUPTION.—For the purposes of
7 this section, whether a person's course of con-
8 duct is a disruption shall be determined only by
9 the manner in which the course of conduct is
10 carried out, including its volume, duration, per-
11 vasiveness, frequency, and impact, rather than
12 by the content of any speech or expression in-
13 volved.

14 (b) PROHIBITED ACTIVITIES.—It shall be unlawful
15 for any person—

16 (1) to engage in a course of conduct that sub-
17 stantially affects interstate commerce, within 100
18 feet from any pedestrian or vehicular entryway of
19 any house of worship, during the period beginning 1
20 hour before the start of and ending 1 hour after the
21 conclusion of a scheduled religious service, by know-
22 ingly disrupting the scheduled religious service or
23 knowingly impeding people from participating at the
24 scheduled religious service; or

1 (2) to conspire to engage in, or cause another
2 person to engage in, any course of conduct made un-
3 lawful under paragraph (1).

4 (c) RULES OF CONSTRUCTION.—Nothing in this sec-
5 tion shall be construed—

6 (1) to preclude a person from freely speaking
7 on any subject so long as such speech is conducted
8 pursuant to the time, place, and manner restrictions
9 set forth in this section; or

10 (2) to preclude participation in activities for
11 which a Federal, State, or local government entity
12 has issued a permit.

13 (d) CIVIL FINES.—Whoever violates this section shall
14 be assessed, by the Attorney General—

15 (1) in the case of a first offense, a civil fine of
16 \$2,500;

17 (2) in the case of a second offense, a civil fine
18 of \$5,000; and

19 (3) in the case of a third or subsequent offense,
20 a civil fine of \$10,000 per occurrence.

21 (e) CIVIL REMEDIES.—

22 (1) RIGHT OF ACTION.—

23 (A) IN GENERAL.—Any person aggrieved
24 by reason of a violation of subsection (b) may
25 commence a civil action for the relief set forth

1 in subparagraph (B) in any appropriate district
2 court of the United States.

3 (B) RELIEF.—In any action under sub-
4 paragraph (A), the court may award appro-
5 priate relief, including temporary, preliminary,
6 or permanent injunctive relief and compen-
7 satory and punitive damages, as well as the
8 costs of suit and reasonable fees for attorneys
9 and expert witnesses. With respect to compen-
10 satory damages, the plaintiff may elect, at any
11 time prior to the rendering of final judgment,
12 to recover, in lieu of actual damages, an award
13 of statutory damages in the amount of \$5,000
14 per violation.

15 (2) ACTION BY ATTORNEY GENERAL OF THE
16 UNITED STATES.—

17 (A) IN GENERAL.—If the Attorney General
18 has reasonable cause to believe that any person
19 (including a group of persons) is being, has
20 been, or may be injured by conduct constituting
21 a violation of this section, the Attorney General
22 may commence a civil action in any appropriate
23 district court of the United States.

24 (B) RELIEF.—In any action under sub-
25 paragraph (A), the court may award appro-

1 priate relief, including temporary, preliminary
2 or permanent injunctive relief, and compen-
3 satory damages to a person aggrieved as de-
4 scribed in paragraph (1)(A). In the absence of
5 actual damages, the court, to vindicate the pub-
6 lic interest, may assess a civil penalty against
7 each defendant in the amount of \$5,000 per
8 violation.

9 (3) ACTIONS BY STATE ATTORNEY GENERAL.—

10 (A) IN GENERAL.—If the Attorney General
11 of a State has reasonable cause to believe that
12 any person (including a group of persons) is
13 being, has been, or may be injured by conduct
14 constituting a violation of this section, such At-
15 torney General may commence a civil action in
16 the name of such State, as *parens patriae* on
17 behalf of natural persons residing in such State,
18 in any appropriate district court of the United
19 States.

20 (B) RELIEF.—In any action under sub-
21 paragraph (A), the court may award the relief
22 described in paragraph (2)(B).

23 (f) SEVERABILITY.—If any provision of this Act (in-
24 cluding a sentence, phrase, or word) or the application of
25 such provision to any person or circumstance is held to

1 be invalid, illegal, unconstitutional, or unenforceable by a
2 court of competent jurisdiction, the remainder of this Act
3 and of the application of the provision to any person or
4 circumstance, that can be enforced without the use of the
5 offending provision or application, shall not be affected.