

HB363 INTRODUCED



1 HB363

2 ARWFKSQ-1

3 By Representatives Barnes, Kiel, Wilcox, Moore (P), Myrex,

4 Harrison, Rehm, Marques, Brown, Smith, Crow, Brinyark,

5 Kirkland, Treadaway, Bedsole, Butler, Crawford, Rigsby,

6 Colvin, Shaver, Allbright, Lipscomb, Hurst, Hulsey, Shaw,

7 Baker, Simpson, Shirey, Lamb, Gidley, Givens, Fidler, Ross,

8 Clouse, Lee, Paramore, Yarbrough, Carns, Robbins, Standridge,

9 Bolton, Fincher, Starnes, Mooney, Paschal, Hammett, Lomax,

10 Oliver, Stringer, Pettus, Faulkner, Underwood, DuBose,

11 Pringle, Whitt

12 RFD: Public Safety and Homeland Security

13 First Read: 29-Jan-26



SYNOPSIS:

Under existing law, there is established the crimes of riot, harassment, and disorderly conduct.

This bill would provide that if an individual enters upon the premises of a church building to intentionally disrupt a worship service by engaging in a riot, unlawful protest, or disorderly conduct, or otherwise engages in the harassment of any other individual in the worship service, the individual would be guilty of the offense of disruption of a worship service.

This bill would also provide that if an individual enters upon church property contiguous to where a church worship service is being held with the intent on obstructing the ingress or egress to the property, and obstructs the ingress or egress to the property, the individual would also be guilty of the offense.

A BILL

TO BE ENTITLED

AN ACT

Relating to crimes; to provide legislative findings; to



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establish the crime of disruption of a worship service; and to provide criminal penalties for a violation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The Legislature finds and declares the following:

(1) The right of the people to meet and assemble for religious worship is imperative for the people of this state.

(2) The Constitution of Alabama of 2022, guarantees the free exercise of religion and prohibits the government from burdening that free exercise by state or local law.

(3) The prohibition in the Constitution of Alabama of 2022, against laws burdening the free exercise of religion naturally contemplates laws protecting the exercise of religion.

(4) The right to engage in a peaceful protest is essential to a free society of people, and the right unambiguously extends to public forums traditionally open to political speech and debate, including public streets, sidewalks, and parks; however, the right has never been interpreted to authorize the trespass and disruption of private property used for legitimate, constitutionally protected purposes.

(5) The exercise of the right of an individual to protest at places of worship must be balanced against the right of another individual to meet and assemble for religious worship in an unobstructed manner.

(6) Prevention of the willful disruption of religious worship services is a matter of statewide concern.



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(7) It is a compelling public interest of this state to protect the ability of its people to meet and assemble for religious worship without willful disruption.

(b) As used in this section, the following terms have the following meanings:

(1) CHURCH. A bona fide duly constituted religious society or ecclesiastical body of any sect, order, or denomination, or any congregation thereof. The terms includes any church building, mosque, synagogue, or other religious real property.

(2) DISORDERLY CONDUCT. The crime of disorderly conduct pursuant to Section 13A-11-7, Code of Alabama 1975.

(3) HARASSMENT. The term as defined under Section 13A-11-8, Code of Alabama 1975.

(4) RIOT. The crime of riot pursuant to Section 13A-11-3, Code of Alabama 1975.

(5) UNLAWFUL PROTEST. The gathering of three or more individuals with the common purpose to create an intentional disturbance, interruption, or breach of the peace.

(6) WORSHIP SERVICE. The assemblage of individuals for religious worship.

(c) An individual commits the crime of disruption of a worship service if the individual does both of the following:

(1) During a worship service that has a scheduled starting time, the individual knowingly enters into a church building with the intent to disrupt the worship service; or enters upon church property contiguous to such church building with the intent to obstruct the ingress or egress to the



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church building or church property.

(2) The individual engages in an unlawful protest, riot, or disorderly conduct inside the church building; otherwise engages in harassment of any individual participant in the worship service; or obstructs the ingress or egress to the church building or church property.

(d) An individual who violates this section shall be punished as follows:

(1) On a first violation, the individual shall be guilty of a Class C felony.

(2) On a second or subsequent violation, the individual shall be guilty of a Class C felony and shall serve a mandatory minimum of five years imprisonment.

Section 2. This act shall become effective on October 1, 2026.