

House Bill 1606

By: Representatives Clark of the 100th, Gaines of the 120th, Fleming of the 114th, Horner of the 3rd, and Bonner of the 73rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
2 relating to offenses against public order, so as to provide for the offense of disruption of a
3 worship service; to provide for legislative findings, to provide for definitions; to provide for
4 penalties; to provide for related matters; to provide for an effective date; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 The Legislature finds and declares the following:

- 9 (1) The right of the people to meet and assemble for religious worship is imperative for
10 the people of this state;
- 11 (2) The Georgia Constitution guarantees the free exercise of religion and prohibits the
12 government from burdening that free exercise by state or local law;
- 13 (3) The prohibition in the Georgia Constitution against laws burdening the free exercise
14 of religion naturally contemplates laws protecting the exercise of religion;
- 15 (4) The right to engage in a peaceful protest is essential to a free society of people, and
16 the right unambiguously extends to public forums traditionally open to political speech

17 and debate, including public streets, sidewalks, and parks; provided, however, that such
 18 right has never been interpreted to authorize the trespass and disruption of private
 19 property used for legitimate, constitutionally protected purposes;

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

23 (6) Prevention of the willful disruption of religious worship services is a matter of
 24 state-wide concern; and

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

27 **SECTION 2.**

28 Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to
 29 offenses against public order, is amended by adding a new Code section to read as follows:

30 "16-11-34.3.

31 (a) As used in this Code section, the term:

32 (1) 'Church' means a bona fide duly constituted religious society or ecclesiastical body
 33 of any sect, order, or denomination, or any congregation thereof. The term includes any
 34 church building, mosque, synagogue, or other religious real property.

35 (2) 'Disorderly conduct' means the offense as provided for in Code Section 16-11-39.

36 (3) 'Harassment' means the offense as provided for in Code Section 16-11-39.1.

37 (4) 'Riot' means the offense as provided for in Code Section 16-11-30.

38 (5) 'Unlawful protest' means the gathering of three or more individuals with the common
 39 purpose to create an intentional disturbance, interruption, or breach of the peace.

40 (6) 'Worship service' means the assemblage for religious worship.

41 (b) An individual commits the crime of disruption of a worship service when, during a
 42 scheduled worship service, the individual intentionally:

- 43 (1) Enters into a church to disrupt the worship service;
44 (2) Enters upon church property contiguous to such church with the intent to obstruct the
45 ingress or egress to such church or church property;
46 (3) Engages in an unlawful protest, riot, or disorderly conduct inside the church;
47 (4) Engages in the harassment of any participant in a worship service; or
48 (5) Obstructs the ingress or egress to the church or church property contiguous to such
49 church.
- 50 (c) An individual convicted of the offense of disruption of a worship service shall be
51 punished by a fine of not more than \$5,000.00, imprisonment for not less than one nor
52 more than five years, or both."

53 **SECTION 3.**

54 This Act shall become effective on July 1, 2026.

55 **SECTION 4.**

56 All laws and parts of laws in conflict with this Act are repealed.