
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

Read first time 01/22/25. Referred to Committee on Law & Justice.

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

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

5 NEW SECTION. **Sec. 1.** The legislature finds that access to
6 places of worship is imperative to the free exercise of religion in
7 the state of Washington and that impaired access to places of worship
8 raises substantial concerns regarding public safety and congestion of
9 public thoroughfares. Ensuring the safety and unimpeded access of
10 individuals entering and exiting places of worship is therefore a
11 compelling government interest and essential for the immediate
12 preservation of public peace, health, and safety. Toward that end,
13 this chapter is aimed at making unlawful conduct that would interfere
14 with a person's lawful exercise of that person's religious freedom
15 under the state Constitution and United States Constitution. The
16 legislature further finds that the protection of such persons from
17 such interference can be accomplished without infringing on
18 constitutionally protected speech or activity and affirms that its
19 intent is to not seek to favor one viewpoint over another or to limit
20 speech regarding any specific topic.

1 NEW SECTION. **Sec. 2.** The definitions in this section apply
2 throughout this chapter unless the context clearly requires
3 otherwise.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 NEW SECTION. **Sec. 3.** A person is guilty of disorderly conduct
2 if the person approaches another person within eight feet of such
3 person with intent to harass, threaten, or intimidate that person
4 because of a belief or perception regarding the race, color,
5 religion, ethnicity, ancestry, national origin, sex, gender, sexual
6 orientation, gender expression or identity, or mental, physical, or
7 sensory disability of any person or group, within a radius of 50 feet
8 from the premises of a place of worship.

9 NEW SECTION. **Sec. 4.** A person is guilty of disorderly conduct
10 if the person does any of the following:

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

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

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

21 NEW SECTION. **Sec. 5.** (1) A violation of section 3 or 4 of this
22 act is a gross misdemeanor. A person convicted of violating section 3
23 or 4 of this act shall be punished as follows:

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

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

28 (c) For a third or subsequent offense, a fine of not less than
29 \$1,000 and a jail term of not less than 30 consecutive days.

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

32 NEW SECTION. **Sec. 6.** (1) An aggrieved person may seek civil
33 damages from those who committed the prohibited acts and those acting
34 in concert with them. A plaintiff in an action brought under this
35 chapter shall not recover more than the plaintiff's actual damages
36 and additional sums authorized in section 7 of this act. Once a
37 plaintiff recovers the plaintiff's actual damages and any additional

1 sums authorized under this chapter, additional damages shall not be
2 recovered. A person does not have to be criminally convicted of
3 violating section 3 or 4 of this act to be held civilly liable under
4 this section. It is not necessary to prove actual damages to recover
5 the additional sums authorized under section 7 of this act, costs,
6 and attorneys' fees. The prevailing party is entitled to recover
7 costs and attorneys' fees.

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

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

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

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

22 NEW SECTION. **Sec. 7.** In a civil action brought under this
23 chapter, an aggrieved person may be entitled to recover up to \$500
24 for each day that the prohibited actions occurred.

25 NEW SECTION. **Sec. 8.** Nothing in this chapter shall be construed
26 to limit the right to seek other available criminal or civil
27 remedies. The remedies provided in this chapter are cumulative, not
28 exclusive.

29 NEW SECTION. **Sec. 9.** A court having jurisdiction over a
30 criminal or civil proceeding under this chapter shall take all steps
31 reasonably necessary to safeguard the individual privacy and prevent
32 harassment of the agents or employees of a religious organization who
33 are a party or witness in a proceeding, including granting protective
34 orders and orders in limine.

35 NEW SECTION. **Sec. 10.** Sections 1 through 9 and 12 of this act
36 constitute a new chapter in Title 9A RCW.

1 NEW SECTION. **Sec. 11.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 12.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of
7 the state government and its existing public institutions, and takes
8 effect immediately.

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