

SSB 5436 - S AMD 506
By Senator Trudeau

ADOPTED 01/21/2026

1 Strike everything after the enacting clause and insert the
2 following:

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

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

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

23 (a) A person, physically present at the premises of a place of
24 worship when the prohibited actions occur, whose access to the place
25 of worship is physically obstructed;

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

29 (c) The owner of the premises of the place of worship where the
30 prohibited actions occur.

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

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

3 (4) "Physically obstruct" means to render impassable ingress to
4 or egress from a place of worship, or to render passage to or from a
5 place of worship unreasonably difficult or hazardous.

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

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

12 (7) "Prohibited actions" mean any conduct referenced in section 3
13 of this act.

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

19 (9) "Religious service" means a gathering of people organized by
20 a religious organization for the purpose of worship, religious
21 teaching, or other religious activities.

22 NEW SECTION. **Sec. 3.** (1) It is unlawful for a person except as
23 otherwise protected by state or federal law, alone or in concert with
24 others, to willfully or recklessly interfere with access to or from a
25 place of worship immediately prior to, during, or immediately after
26 religious services or willfully or recklessly disrupt the normal
27 functioning of the religious services of a place of worship by:

28 (a) Physically obstructing the free passage of a person seeking
29 to enter or depart from a place of worship or from the common areas
30 of the real property upon which the place of worship is located;

31 (b) Trespassing on the place of worship or the common areas of
32 the real property upon which the facility is located;

33 (c) Telephoning the place of worship repeatedly or causing
34 electronic communications to be sent to the place of worship
35 repeatedly, or knowingly permitting any telephone or electronic
36 communication device under his or her control to be used for such
37 purpose; or

38 (d) Threatening to inflict injury on the owners, agents,
39 attendees, employees, or property of the place of worship or

1 knowingly permitting any telephone or electronic communication
2 devices under his or her control to be used for such purpose.

3 (2) A violation of this section is a gross misdemeanor.

4 NEW SECTION. **Sec. 4.** (1) An aggrieved person may seek civil
5 damages from those who committed the actions prohibited by section 3
6 of this act and those acting in concert with them. A plaintiff in an
7 action brought under this chapter shall not recover more than the
8 plaintiff's actual damages and additional sums authorized in section
9 5 of this act. Once a plaintiff recovers the plaintiff's actual
10 damages and any additional sums authorized under this chapter,
11 additional damages shall not be recovered. A person does not have to
12 be criminally convicted of violating section 3 of this act to be held
13 civilly liable under this section. It is not necessary to prove
14 actual damages to recover the additional sums authorized under
15 section 5 of this act, costs, and attorneys' fees. The prevailing
16 party is entitled to recover costs and attorneys' fees.

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

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

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

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

31 NEW SECTION. **Sec. 5.** In a civil action brought under this
32 chapter, an individual plaintiff aggrieved by the actions prohibited
33 by section 3 of this act may be entitled to recover up to \$500 for
34 each day that the prohibited actions occurred, or up to \$1,500 for
35 each day that the actions occurred if the plaintiff aggrieved by the
36 actions prohibited under section 3 of this act is a place of worship.

1 NEW SECTION. **Sec. 6.** Nothing in section 3 of this act shall
2 prohibit either lawful picketing or other publicity for the purpose
3 of providing the public with information.

4 NEW SECTION. **Sec. 7.** Nothing in this chapter shall be construed
5 to limit the right to seek other available criminal or civil
6 remedies. The remedies provided in this chapter are cumulative, not
7 exclusive.

8 NEW SECTION. **Sec. 8.** A court having jurisdiction over a
9 criminal or civil proceeding under this chapter shall take all steps
10 reasonably necessary to safeguard the individual privacy and prevent
11 harassment of the agents or employees of a religious organization who
12 are a party or witness in a proceeding, including granting protective
13 orders and orders in limine.

14 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act
15 constitute a new chapter in Title 9A RCW.

16 NEW SECTION. **Sec. 10.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected."

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20 On page 1, line 2 of the title, after "worship;" strike the
21 remainder of the title and insert "adding a new chapter to Title 9A
22 RCW; and prescribing penalties."

EFFECT: • Modifies the definition of "aggrieved person."
• Provides a definition of "physically obstruct."
• Removes, as a means of committing the offense, impeding the
free passage of a person seeking to enter or depart from a place of
worship or from the common areas of the real property upon which the
place of worship is located.
• Modifies the damages that a place of worship may recover from
\$5,000 to \$1,500 for each day that the prohibited actions occurred.

- Makes technical corrections.

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