

1 AN ACT relating to religious freedom.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 446.350 is amended to read as follows:

4 **(1)** Government shall not substantially burden a person's freedom of religion. The right
5 to act or refuse to act in a manner motivated by a sincerely held religious belief may
6 not be substantially burdened unless the government proves by clear and convincing
7 evidence that it has a compelling governmental interest in infringing the specific act
8 or refusal to act and has used the least restrictive means to further that interest. A
9 "burden" shall include indirect burdens such as withholding benefits, assessing
10 penalties, or an exclusion from programs or access to facilities.

11 **(2)** ***The Commonwealth waives its sovereign immunity as to any claim seeking***
12 ***equitable relief, as well as reasonable attorney fees and costs, brought in state or***
13 ***federal court under this section to adjudicate or decree a violation of this section.***
14 ***The Commonwealth shall not be liable for any monetary damages arising from***
15 ***such claims, except as provided in subsection (3) of this section.***

16 **(3)** ***In any action or proceeding under subsection (2) of this section, the court shall***
17 ***award damages in the amount of ten dollars (\$10) for each day the government***
18 ***violates this section and reasonable attorney fees and costs.***