

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 235

By: Montgomery

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5
6 AS INTRODUCED

7 An Act relating to the Oklahoma Religious Freedom
8 Act; amending 51 O.S. 2011, Section 253, which
9 relates to burden upon free exercise of religion;
10 declaring certain school policies to substantially
11 burden the free exercise of religion of a student;
12 defining term; and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 51 O.S. 2011, Section 253, is
15 amended to read as follows:

16 Section 253. A. Except as provided in subsection B of this
17 section, no governmental entity shall substantially burden a
18 person's free exercise of religion even if the burden results from a
19 rule of general applicability.

20 B. No governmental entity shall substantially burden a person's
21 free exercise of religion unless it demonstrates that application of
22 the burden to the person is:

- 23 1. Essential to further a compelling governmental interest; and
24 2. The least restrictive means of furthering that compelling
25 governmental interest.

1 C. A school or school district policy that prohibits a student
2 from wearing tribal regalia during a high school graduation
3 ceremony, if such conduct is motivated by the religious beliefs of
4 the student, shall be deemed to substantially burden the free
5 exercise of religion by the student. For purposes of this section,
6 a "compelling governmental interest" shall not include the school
7 policy described in this subsection if the interest is primarily for
8 aesthetic uniformity.

9 SECTION 2. This act shall become effective November 1, 2021.

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