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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2023 Session of  
2024

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INTRODUCED BY RYNCAVAGE, PICKETT, OWLETT, STAATS, D'ORSIE,  
GILLEN, MENTZER, STENDER, JOZWIAK, KAUFFMAN, GLEIM,  
OBERLANDER, JAMES AND HAMM, FEBRUARY 9, 2024

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REFERRED TO COMMITTEE ON HEALTH, FEBRUARY 9, 2024

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AN ACT

1 Amending the act of December 9, 2002 (P.L.1701, No.214),  
2 entitled "An act protecting the free exercise of religion;  
3 and prescribing the conditions under which government may  
4 substantially burden a person's free exercise of religion,"  
5 further providing for definitions and for free exercise of  
6 religion protected.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The definition of "substantially burden" in  
10 section 3 of the act of December 9, 2002 (P.L.1701, No.214),  
11 known as the Religious Freedom Protection Act, is amended and  
12 the section is amended by adding a definition to read:

13 Section 3. Definitions.

14 The following words and phrases when used in this act shall  
15 have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

17 "Adverse action." The application of a civil or criminal  
18 penalty or the imposition of an administrative sanction.

19 \* \* \*

1 "Substantially burden." An agency action which does any of  
2 the following:

3 (1) Significantly constrains or inhibits conduct or  
4 expression mandated by a person's sincerely held religious  
5 beliefs.

6 (2) Significantly curtails a person's ability to express  
7 adherence to the person's religious faith.

8 (3) Denies a person a reasonable opportunity to engage  
9 in activities which are fundamental to the person's religion.

10 (4) Compels conduct or expression which violates a  
11 specific tenet of a person's religious faith.

12 (5) Prevents a person from physically assembling or  
13 gathering in order to engage in the free exercise of  
14 religion, including preventing a person from traveling for  
15 the purpose of physically assembling or gathering in order to  
16 engage in the free exercise of religion.

17 (6) Authorizes any adverse action against a person for  
18 the person's free exercise of religion.

19 Section 2. Section 4 of the act is amended by adding a  
20 subsection to read:

21 Section 4. Free exercise of religion protected.

22 \* \* \*

23 (c) Limitation on exception.--No order issued pursuant to  
24 the authority granted under section 20 of Article IV of the  
25 Constitution of Pennsylvania, 35 Pa.C.S. § 7301 (relating to  
26 general authority of Governor) or a control measure taken under  
27 the act of April 23, 1956 (1955 P.L.1510, No.500), known as the  
28 Disease Prevention and Control Law of 1955, may be used by an  
29 agency for the purposes of an exception under subsection (b).

30 Section 3. This act shall take effect in 60 days.