

117TH CONGRESS
1ST SESSION

H. R. 754

To prevent States and local jurisdictions from interfering with services held at houses of worship, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 2021

Mr. GOOD of Virginia (for himself, Mr. LAMBORN, Mrs. BOEBERT, Mr. GAETZ, Mr. ROSENDALE, Mr. MOONEY, and Mr. MOORE of Alabama) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prevent States and local jurisdictions from interfering with services held at houses of worship, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Religion
5 from Government Act of 2021”.

1 **SEC. 2. PROHIBITION AGAINST INTERFERENCE BY STATE**
2 **AND LOCAL GOVERNMENTS WITH SERVICES**
3 **HELD AT HOUSES OF WORSHIP.**

4 Consistent with First Amendment to the Constitution
5 of the United States, the government of a State or locality
6 therein may not impose any law or regulation limiting the
7 ability for any house of worship to hold any religious serv-
8 ice or celebrate any religious ceremony in person as such
9 house of worship determines is appropriate.

10 **SEC. 3. FEDERAL CAUSE OF ACTION TO CHALLENGE STATE**
11 **AND LOCAL REGULATION OF INTERSTATE**
12 **COMMERCE.**

13 (a) PRIVATE RIGHT OF ACTION.—A person, includ-
14 ing an individual or religious institution, affected by a law
15 or regulation of a State or unit of local government lim-
16 iting the ability for any house of worship to hold services
17 in person may bring an action in the appropriate district
18 court to invalidate such a law or regulation.

19 (b) PRELIMINARY INJUNCTION.—Upon a motion of
20 the plaintiff described in subsection (a), the court shall
21 issue a preliminary injunction to preclude the State or unit
22 of local government from enforcing the law or regulation
23 at issue until such time as the court enters a final judg-
24 ment in the case, unless the State or unit of local govern-
25 ment proves by clear and convincing evidence that—

1 (1) the State or unit of local government is like-
2 ly to prevail on the merits at trial; and

3 (2) the injunction would cause irreparable harm
4 to the State or unit of local government.

5 (c) STATUTE OF LIMITATIONS.—No action shall be
6 maintained under this section unless it is commenced
7 within 10 years after the cause of action arose.

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