

Assembly Bill No. 2664

Passed the Assembly August 30, 2026

Chief Clerk of the Assembly

Passed the Senate August 27, 2026

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2026, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 594.38 to the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

AB 2664, Bauer-Kahan. Places of religious worship: unlawful activities.

Existing law makes it a crime to, by force, threat of force, or physical obstruction that is a crime of violence, intentionally injure, intimidate, interfere with, or attempt to injure, intimidate, or interfere with any person lawfully exercising or seeking to exercise the First Amendment right of religious freedom at a place of religious worship.

This bill would make it unlawful for a person to, within a radius of 100 feet from an entrance or exit of a place of religious worship, as defined, intentionally approach another person seeking to enter or exit a place of religious worship within 8 feet of that person to either pass a leaflet or handbill to, display a sign to, or engage in oral protest or education or to harass, obstruct, threaten, or intimidate the person or occupant. The bill would, for the purposes of determining that distance, measure from the body of the person seeking to enter or exit, or the exterior of a motor vehicle they occupy, to the body of, or any sign or object held by, the other person. The bill would prescribe specified fines, imprisonment, or fine and imprisonment for a violation of these provisions. By creating a new crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 594.38 is added to the Penal Code, to read:

594.38. (a) The Legislature recognizes that access to places of worship is imperative to the free exercise of religion in the State of California. Ensuring the safety and unimpeded access of individuals entering and exiting places of worship is therefore a compelling government interest and essential for the immediate preservation of public peace and safety. Toward that end, this section is aimed at making clear that conduct that intentionally obstructs a person's lawful exercise of that person's religious freedom under the California Constitution and United States Constitution is unlawful. The Legislature further finds that the protection of persons from deliberate and physical interference with their access to places of worship may be accomplished without infringing on constitutionally protected speech or activity and affirms that its intent is to not seek to favor one viewpoint over another or to limit speech regarding any specific topic.

(b) For purposes of this section, "place of religious worship" means any building, structure, or space that is used primarily for religious worship activities or to provide religious education or instruction. A "place of religious worship" shall include the parking lot and parking lot entrances, if the primary entrance to the building is through the parking lot, and the driveway and driveway entrances of any such building, structure, or space.

(c) Within a radius of 100 feet from an entrance or exit of a place of religious worship, a person shall not, without consent, intentionally approach another person seeking to enter or exit a place of religious worship within 8 feet of that person to do either of the following:

(1) Pass a leaflet or handbill to, display a sign to, or engage in oral protest or education with the other person.

(2) Harass, obstruct, threaten, or intimidate the other person.

(d) (1) For purposes of this section, 8 feet shall be measured from the body of the person seeking to enter or exit a place of religious worship, or the exterior of a motor vehicle that the person occupies while seeking to enter or exit a parking lot, to the body of, or any sign or object held by, another person.

(2) For purposes of this section, 100 feet shall be measured from the entrance or exit of the place of religious worship to the body of, or any sign or object held by, a person.

(e) (1) A first violation of this section is a misdemeanor, punishable by a fine not exceeding one thousand dollars (\$1,000), imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment.

(2) A second or subsequent violation of this section is punishable by a fine not to exceed five thousand dollars (\$5,000), by imprisonment in a county jail for a period of not more than one year, or by both that fine and imprisonment.

(f) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Approved _____, 2026

Governor