

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 952

Representatives Mathews, A., Fischer

To enact section 9.51 of the Revised Code to 1
provide for the preservation of religious 2
freedom and to name this act the Ohio Religious 3
Freedom Restoration Act. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 9.51 of the Revised Code be 5
enacted to read as follows: 6

Sec. 9.51. (A) As used in this section: 7

(1) "Exercise of religion" means any exercise of religion, 8
whether or not compelled by, or central to, a system of 9
religious belief, including, but not limited to, the practice or 10
observance of religion under Ohio Constitution, Article I, 11
Section 7 or the free exercise clause of the First Amendment to 12
the United States Constitution. 13

(2) "Governmental entity" includes the state and any 14
branch, department, agency, instrumentality, and official or 15
other person acting under color of law of this state, or any 16
political subdivision of this state. 17

(B) A governmental entity shall not substantially burden a 18
person's exercise of religion, even if the burden results from a 19
rule of general applicability, except as provided in division 20

<u>(C) of this section.</u>	21
<u>(C) A governmental entity may substantially burden a</u>	22
<u>person's exercise of religion if it demonstrates that the</u>	23
<u>application of the burden to the person is both:</u>	24
<u>(1) In furtherance of a compelling governmental interest;</u>	25
<u>(2) The least restrictive means of furthering such</u>	26
<u>compelling governmental interest.</u>	27
<u>(D) (1) A person whose religious exercise has been burdened</u>	28
<u>in violation of this section may bring an action in the court of</u>	29
<u>common pleas of Franklin county or the court of common pleas of</u>	30
<u>the county in which the person resides, and obtain appropriate</u>	31
<u>relief against a governmental entity.</u>	32
<u>(2) Notwithstanding any other law to the contrary, a</u>	33
<u>governmental entity waives its immunity from liability for</u>	34
<u>actions brought under this section.</u>	35
<u>(E) In any action or proceeding to enforce a provision of</u>	36
<u>this section, a court may allow the prevailing party, other than</u>	37
<u>a governmental entity, reasonable attorney's fees, provided that</u>	38
<u>in any action brought against a judicial officer for an act or</u>	39
<u>omission taken in the officer's judicial capacity, the officer</u>	40
<u>shall not be held liable for any costs, including attorney's</u>	41
<u>fees, unless such act or omission was clearly in excess of the</u>	42
<u>officer's jurisdiction.</u>	43
<u>(F) (1) Nothing in this section shall be construed to</u>	44
<u>affect, interpret, or in any way address the portion of the</u>	45
<u>First Amendment to the United States Constitution prohibiting</u>	46
<u>laws respecting the establishment of religion.</u>	47
<u>(2) Granting government funding, benefits, or exemptions</u>	48

to the extent permissible under the establishment clause of the 49
First Amendment to the United States Constitution does not 50
constitute a violation of this section. As used in this 51
division, "granting" does not include the denial of government 52
funding, benefits, or exemptions. 53

Section 2. This act shall be known as the Ohio Religious 54
Freedom Restoration Act. 55